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STATE OF NEW YORK.

THE

UNIVERSITY MANUAL.

REVISED EDITION.

1882.

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STATE OF NEW YORK.

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY.

March 14, 1882.

Resolved, That five hundred copies of the University Manual be printed and bound for the use of the Regents of the University, and two hundred and fifty copies for the use of the Legislature, at a cost not to exceed one dollar per copy, payable on the certificate of the Secretary of the Board of Regents.

PREFATORY NOTE.

In 1830 the Regents of the University directed Secretary Hawley to issue "Instructions" to the several academies subject to their visitation, relating chiefly to the requisites and forms of academic reports. Another edition was prepared in 1834, and still others, with wider scope of subject-matter, from time to time until 1845. In 1835 and 1847 similar instructions were provided for the colleges, and in 1849, by direction of the board, Secretary Beck combined the two codes into one. This, as revised in 1853, made an octavo volume of one hundred and sixty-six pages. These "Instructions" were replaced in 1864 by the "Manual of the Regents," edited by Secretary Woolworth; and this again in 1870 and 1872 by "The University Manual," reconstructed from the Manual of 1864 with large additions, by Assistant Secretary Pratt, who has also had charge of the present revision.

Besides numerous other additions consisting chiefly of laws and ordinances passed since 1870, chapters VIII, IX and XVII of this volume, treating respectively of the "Colonial History," and the "Natural History" of the

State, and "Examinations," have been inserted as new matter; while chapters XVIII, XX and the Appendix of the former edition have been omitted, and certain other chapters materially condensed. The utility of the present edition, although smaller by fifty pages than its predecessor, it is believed has been increased by these exchanges.

Since this work was completed and stereotyped, the Regents have passed an ordinance requiring a greater amount of property as a condition of incorporating academies and admitting academical departments to the visitation of the board; and both the Legislature and the Regents have taken important action relative to the instruction of common school teachers in academies. Supplementary information on these points will be furnished on application.

DAVID MURRAY,
Secretary.

OFFICE OF THE REGENTS,
August 1, 1882.

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

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LIBRARY OF THE UNIVERSITY OF CALIFORNIA.

STATE OF NEW YORK.

UNIVERSITY MANUAL.

PART I.

LAWS RELATIVE TO THE UNIVERSITY OF THIS STATE, AND THE ORGANIZATION AND POWERS OF THE BOARD OF REGENTS.

[References to the Revised Statutes apply to the first edition.]

CHAPTER I.

ORGANIZATION AND POWERS OF THE BOARD OF REGENTS.

SECTION 1. An university is instituted in this state, University. of which the government is, and shall continue to be, vested in a board of regents.— [1 R. S. 456, § 1.

§ 2. This university is incorporated under, and is Name and corporate powers. and shall be known by, the name of "The Regents of the University of the State of New York;" and by that name shall have perpetual succession, power to sue and be sued, to make and use a common seal and alter the same at pleasure, to hold property, real and personal, to the amount of the annual income of forty thousand bushels of wheat, and to buy and sell, and otherwise dispose of, lands and chattels.—[*Idem*, § 2.

§ 3. The regents are twenty-three in number, including the governor, lieutenant-governor, secretary of state and superintendent of public instruction, who are members of the board by virtue of their offices.— [*Idem*, § 3; *Laws of* 1842, ch. 142; 1854, ch. 97, § 5.

Number of regents.

§ 4. With the exception of the governor, lieutenant-governor, secretary of state and superintendent of public instruction, the regents are appointed by the legislature, and may be removed by a concurrent resolution of the senate and assembly.— [1 R. S. 457, § 4.

How appointed and removed.

§ 5. All vacancies happening in the offices of those so appointed, shall be supplied by the legislature, in the manner in which the state officers are directed to be appointed, in the fifth chapter of this act.— [1 R. S. 104, § 5; 457, § 5.

Vacancies, how supplied.

§ 6. No trustee of a college or academy, shall act as a regent of the university, and no regent of the university shall act as trustee of any college or academy; and if any such trustee shall be appointed a regent, or a regent shall be appointed a trustee, he shall elect in which office he will serve, and give notice of such election to the authority by which he shall be appointed, within sixty days from the time of his appointment, otherwise such appointment shall be void.— [1 R. S. 464, § 53.

No regent to act as trustee, and no trustee as regent.

§ 7. No president, principal, or other officer of any such college or academy, shall be a regent of the university.— [*Idem*, § 52.

No president or principal to be a regent.

§ 8. The officers of this corporation are a chancel-
Officers. lor, a vice-chancellor, a treasurer and a secretary,* all of whom are chosen by the regents, by ballot; a plurality of votes being sufficient to a choice. They hold their respective offices during the pleasure of the board.— [1 R. S. 457, § 6.

§ 9. The chancellor, and if he shall be absent, the
Presiding officer. vice-chancellor, and if both be absent, the senior regent in the order of appointment, shall preside at all meetings of the regents, and have a casting vote in case of a division.— [*Idem*, § 7.

§ 10. There shall be an annual meeting of the re-
Annual meeting. gents on the evening of the second Thursday in January, in every year, at the senate chamber in the capitol.— [*Idem*, § 8.

§ 11. All meetings, except adjourned meetings, shall
Other meetings. be held at such time and place as the chancellor, or in case his office be vacant, or he be absent from the state, the vice-chancellor, or if he be also absent, or the offices of both be vacant, the senior regent in the state, shall appoint.— [*Idem*, § 9.

§ 12. Six regents attending, shall be a board for the
Quorum. transaction of business; and the regents present, whether a quorum or otherwise, shall have power to adjourn from time to time, not exceeding ten days at a time.— [*Idem*, § 10, *Laws of* 1853, ch. 184, § 5.

§ 13. A meeting shall be ordered and called by the
Calling of meetings. officer authorized to appoint the same, as often as three regents, in writing, so request:

* For many years, the secretary has acted as treasurer, and since 1866 the office of assistant secretary has been recognized and provided for in the annual appropriation act

and the order shall be published in the state paper at least ten days prior to the meeting.—[1 R. S. 457, § 11.

§ 14. If any regent shall not attend at least once at any of the meetings of the regents to be held during any session of the legislature, when by law they are required to meet, without some just cause satisfactory to the board of regents, such non-attendance shall be deemed a resignation of their seats, and it shall be the duty of the regents to report to the legislature, from time to time, the names of the members whose seats shall thus become vacant, to the end that the same may be supplied.—[*Laws of* 1815, ch. 207; 1845, ch. 179, § 3.

Non-attendance.

§ 15. The treasurer shall keep an account of all moneys by him received and paid out.—[1 R. S. 457, § 12.

Treasurer.

§ 16. The secretary shall keep a journal of the proceedings of the regents, in which the ayes and noes on all questions shall be entered, if requested by any one of the regents present.—[*Idem*, § 13.

Secretary.

§ 17. Each regent may always have access to, and be permitted to take copies of, all the books and papers of the corporation.—[*Idem*, § 14.

Books and papers.

§ 18. The regents are authorized and required, by themselves or their committees, to visit and inspect all the colleges and academies in this state, examine into the condition and system of education and discipline therein, and make an annual report of the state of the same to the legislature,

Power of visitation.

within ten days after the opening of the session in each year.—[*Idem*, § 15, *Laws of* 1855, ch. 50, § 3.

§ 19. The regents of the university shall have full power to examine by themselves or their secretary, into the manner in which all institutions of learning subject to their visitation are conducted, to the end that they may report the same to the legislature.—[*Laws of* 1857, ch. 527, § 3.

Visitation.

§ 20. The regents shall have the right of conferring, by diploma under their common seal, on any person whom they may judge worthy thereof, such degrees, above that of master of arts, as are known to, and usually granted by, any college or university in Europe.*—[1 R. S. 458, § 18.

May confer degrees.

§ 21. A degree of doctor of medicine, granted by the regents, shall authorize the person on whom it is conferred, to practice physic and surgery within this state.† —[*Idem*, § 19.

Degrees of M. D.

§ 22. No person shall receive from the regents of the university a diploma, conferring the degree of doctor of medicine, unless he shall have pursued the study of medical science for at least three years, after the age of sixteen, with some physician and surgeon, duly authorized, by law, to practice his profession, and shall also, after the

Requisites for degree of M. D.

*The trustees of the New York College of Dentistry have power to grant the degree of "doctor of dental surgery," and "fellow of the college of dentistry," with the *consent of the regents*. [Laws of 1865, ch. 264, § 5; 1867, ch. 243.]

†The right reserved to the regents by the act of April 5, 1813, to confer degrees, appoint professors, fill vacancies in the board of trustees, etc., in the College of Physicians and Surgeons of the city of New York, was granted to, and vested in the trustees of said college, by the act of March 24, 1860. [Laws of 1860, ch. 111, § 1.]

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same age, have attended two complete courses of all the lectures delivered in an incorporated medical college, and have attended the last of such courses, in the college by which he shall be recommended for his degree.—[1 R. S. 454, § 12.

Honorary degree of M. D.

§ 23. The regents of the university may in their discretion confer the honorary degree of doctor of medicine upon such persons, not to exceed four in any one year, as may be recommended to them for that purpose, by the medical society of this state, but such honorary degree shall in no case be a license to practice physic or surgery.*—[*Laws of* 1840, ch. 366.

Vacancies in colleges and academies.

§ 24. In case the trustees of any college shall leave the office of president of the college, or the trustees of any academy shall leave the office of principal of the academy, vacant, for the space of one year, the regents shall fill up such vacancy, unless a reasonable cause shall be assigned for such delay, to their satisfaction.—[1 R. S. 458, § 20.

Powers of appointee.

§ 25. The person so appointed, shall continue in office during the pleasure of the regents, and shall have the same powers, and the same salary, emoluments and privileges, as his next immediate predecessor in office enjoyed.—[*Idem*, § 21.

Amount of salary.

§ 26. If such president or principal had no immediate predecessor in office, he shall have such

*Similar privileges are extended to the Homœopathic Medical Society and the Dental Society of this state. [Laws of 1862, ch. 268, § 3; 1868, ch. 152, § 14.]

salary as the regents shall direct, to be paid by the trustees out of the funds or property of their college or academy. — *Idem*, § 22.

Accumulation of income from trust funds.

§ 27. The income arising from any real or personal property granted or conveyed, devised or bequeathed in trust to any incorporated college or other incorporated literary institution for any of the purposes specified in the "act authorizing certain trusts," passed May 14, 1840, or for the purpose of providing for the support of any teacher in a grammar school or institute, may be permitted to accumulate till the same shall amount to a sum sufficient, in the opinion of the regents of the university, to carry into effect either of the purposes aforesaid, designated in said trust. — [*Laws of* 1846, ch. 74; 1840, ch. 318.

Grants to regents.

§ 28. Grants made to the regents for certain uses and purposes, shall not be applied, either wholly or in part, to any other uses. — [1 R. S. 458, § 17.

Power to make by-laws.

§ 29. The regents shall have power to make such by-laws and ordinances, as they shall judge most expedient, for the accomplishment of the trust reposed in them. — [*Idem*, § 16.

Power to send for persons and papers.

§ 30. The regents of the university of the state of New York, and any committee thereof, in the discharge of any duty required by law, or by resolution of the senate or assembly, may require any proof or information relating thereto, to be verified by oath, and shall for such purposes

(and no other) have the powers now by law vested in any committee of either house authorized to send for persons and papers. — [*Laws of* 1839, ch. 226; 1 R. S. 158, § .

Examiners in medicine.

§ 31. The regents of the university of the state of New York shall appoint one or more boards of examiners in medicine, each board to consist of not less than seven members, who shall have been licensed to practice physic and surgery in this state. — *Laws of* 1872, ch. 746, § 1.

Report required.

§ 32. Such examiners shall faithfully examine all candidates referred to them for that purpose by the chancellor of said university and furnish him a detailed report in writing of all the questions and answers of each examination, together with a separate written opinion of each examiner as to the acquirements and merits of the candidates in each case.— [*Idem*, § 2.

Subjects.

§ 33. Such examinations shall be in anatomy, physiology, materia medica, pathology, histology, clinical medicine, chemistry, surgery, midwifery and in the therapeutics of that one of the systems of practice represented in the several incorporated state medical societies of this state which the candidate may elect. — [*Idem*, § 3; *Laws of* 1881, ch. 679, § 1.

Reports to be filed.

§ 34. The said reports of examinations, and the annexed opinions of the examiners, shall forever be a part of the public records of the said university, and the orders of the chancellor addressed to the examiners, together with the action

of the regents, in each case shall accompany the same. — *Idem*, § 4.

Candidates and fee.

§ 35. Any person over twenty-one years of age, of good moral character and paying not less than thirty-five dollars into the treasury of the university, and on applying to the chancellor for the aforesaid examination shall receive an order to that effect, addressed to one of the boards of examiners, provided he shall adduce proofs satisfactory to the chancellor, that he or she has a competent knowledge of all the branches of learning taught in the common schools of this state, and of the Latin language, and that he has diligently studied medicine not less than three years, under the direction of one or more physicians duly qualified to practice medicine, or has himself been licensed, on examination, by some medical society or college legally empowered to issue licenses or degrees in medicine. — [*Idem*, § 5.

Diploma.

§ 36. The regents of the university, on receiving the aforesaid reports of the examiners, and on finding that not less than five members of a board have voted in favor of a candidate, shall issue to him or her a diploma conferring the degree of doctor of medicine of the university of the state of New York, which degree shall be a license to practice physic and surgery. — [*Idem*, § 6.

Fee for diploma.

§ 37. The candidate on receiving said diploma shall pay to the university the further sum of not less than ten dollars. — [*Idem*, § 7.

§ 38. The moneys paid to the university as afore-

Expenses. said shall be appropriated by the regents for the expenses of executing the provisions of this act. — [*Idem*, § 8.

§ 39. The regents may establish such rules and Rules. regulations, from time to time, as they may deem necessary to insure the faithful execution of the provisions of this act. — [*Idem*, § 9.

§ 40. The regents of the university are hereby Boundaries of the state. authorized and directed to resume the work of "examination as to the true location of the monuments which mark the several boundaries of the state," as authorized by the resolution of the senate of April nineteenth, eighteen hundred and sixty-seven, and in connection with the authorities of Pennsylvania and New Jersey respectively, to replace any monuments which have become dilapidated or been removed, on the boundary lines of those states. — [*Laws of* 1875, ch. 424, § 1.

§ 41. The sum of three thousand dollars, or so Expenses. much thereof as may be necessary, is hereby appropriated for expenses of renewing and replacing monuments, and for contingent expenses. — [*Idem*, § 2.

§ 42. The regents shall report to the legislature on Report. the progress of this work, with an account of all expenditures. — [*Idem*, § 3.

§ 43. Whereas, by an act of the legislature, passed the twenty-sixth day of May, eighteen hundred and seventy-five, the regents of the university were authorized and directed, "in connection with the author-

ities of Pennsylvania and New Jersey, respectively, to replace any monuments which have become dilapidated or been removed, on the boundary lines of those states;" and, whereas, from the examination made by said regents it has been found that said monuments, as located by the original joint commissioners, do not conform in all cases to the verbal descriptions of said lines, and questions have arisen between the commissioners of said states as to the proper location of said monuments; therefore, it is hereby declared that the lines originally laid down and marked with monuments by the several joint commissions duly appointed for that purpose, and which have since been acknowledged and legally recognized by the several states interested, as the limits of their territory and jurisdiction, are the boundary lines of said states, irrespective of want of conformity to the verbal descriptions thereof. — [*Laws of* 1880, ch. 340, § 1.

Old lines to be recognized.

§ 44. Said regents are hereby authorized and empowered to designate and appoint three of their number as commissioners to meet such commissioners as have been or may be appointed and vested with similar powers, on the part of the states of Pennsylvania and New Jersey, or either of them, and with such last mentioned commissioners, as soon as may be, to proceed to ascertain and agree

Commissioners to be appointed.

upon the location of said lines as originally established and marked with monuments; and in case any monuments are found dilapidated or removed from their original location, said commissioners are authorized to renew or replace them in a durable manner, in their original positions, and to erect such additional monuments at such places on said lines as they may deem necessary for the proper designation of the boundary lines of said states. The said regents shall report the action of said commissioners to the legislature of this state for its consideration and ratification. — [*Idem*, § 2.

§ 45. The sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury applicable for such purposes, to pay the necessary expenses and disbursements of said commissioners in the performance of the duties required by this act, and the comptroller is authorized to draw his warrant upon the treasurer for moneys hereby appropriated, from time to time, as the same may be needed. — [*Idem*, § 3.

Appropriation.

§ 46. The treasurer shall pay yearly, on the warrant of the comptroller, out of the income of the United States deposit fund, not otherwise appropriated, the sum of five

Appropriation for higher examinations.

thousand dollars to the regents of the university for establishing and conducting examinations as to attainments in learning under the direction of the said regents, as hereinafter provided for. — [*Laws of* 1877, ch. 425, § 1.

Plan of higher examinations.

§ 47. The regents of the university shall establish in the academies and academic departments of union schools, subject to their visitation, examinations in such branches of study as are commonly taught in the same, and shall determine the rules and regulations in accordance with which they shall be conducted; said examinations shall be prescribed in such studies, and shall be arranged and conducted in such a manner, as in the judgment of the regents, will furnish a suitable standard of graduation from the said academies and academic departments of union schools, and of admission to the several colleges of the state; and they shall confer such honorary certificates or diplomas as they may deem expedient upon those pupils who satisfactorily pass such examinations. And the said regents are hereby authorized to establish examinations as to attainments in learning of any persons applying for admission to the same, to prescribe rules and regulations for the admission of candidates to said examinations, and for conducting them, and to confer and award such degrees, honorary testimonials or diplomas to persons who satisfactorily pass such examinations, as the said regents may deem expedient. They shall audit and certify to the comp-

Diplomas.

troller all accounts for the expenses of establishing and conducting such examinations and all contingent expenses attending the same, and the amounts thereof shall be paid from the appropriation for this purpose made in the first section of this act.— [*Idem*, § 6.

Expenses.

§ 48. Copies of and extracts from any and all records, books, papers, documents, files and manuscripts in the possession or custody of the regents of the university as such, or as trustees of the State library, or otherwise, in their official capacity, and duly authenticated under the hand of the chancellor or secretary, and under the common seal of the said regents, as a true copy of such original and of the whole thereof as aforesaid, may be used and read in evidence in all courts and places in this State, with the same force and effect as the originals might be, if produced.— [*Laws of* 1870, ch. 60, § 1. (Repeated under Chapters II and VI.)

Copies of records may be read in evidence.

CHAPTER II.

INCORPORATION OF COLLEGES, ACADEMIES, AND LANCASTERIAN AND SELECT SCHOOLS.

Literary colleges, how incorporated.

SEC. 1. Any citizen or citizens, or bodies corporate within this state, being disposed to found a college at any place within the same, he or they shall, in writing, make known to the regents the place where, the plan on which, and the funds with which, it is intended to found and provide for the same, and who are proposed for the first trustees; and in case the regents shall approve thereof, then they shall declare their approbation by an instrument under their common seal, and allow a convenient time for completing the same; and if at the expiration of the said time, it shall appear to the satisfaction of the regents, that the said plan and propositions are fully executed, then they shall, by act under their common seal, declare that the said college, to be named as the founders shall signify, and with such trustees not exceeding twenty-four, nor less than ten, as they shall name, shall forthwith become incorporated, and shall have perpetual succession, and enjoy all the corporate rights and privileges enjoyed by Columbia College, in and by the act entitled "An act to institute an university within this state, and for other purposes therein mentioned," passed April 13, 1787.—[*Laws of* 1813, ch. 59, § 6.

§ 2. The founders and benefactors of any academy, or as many of them, as shall have contributed more than one-half in value of the property collected for the use thereof, may make to the regents an application in writing under their hands, requesting that such academy may be incorporated, nominating the first trustees, and specifying the name by which the corporation is to be called.—[1 R. S. 461, § 38.

Academies, how incorporated.

§ 3. In case the regents shall approve thereof, they shall, by an instrument under their common seal, declare their approbation of the incorporation of the trustees of such academy, by the name specified in such application; and the request, and instrument of approbation, shall be recorded in the office of the secretary of the board of regents.*—[*Idem*, § 39; *Laws of* 1855, ch. 471, § 1.

Idem.

§ 4. Immediately after recording the same, the property and funds of such academy, shall be vested in the trustees so nominated, for the use and benefit of the academy.—[1 R. S. 462, § 40.

Property, in whom vested.

§ 5. The regents of the university shall, by general rules and regulations to be established by them from time to time, prescribe the requisites and conditions for the incorporation by them of any college, university, academy or other institution of learning, pursuant to the power vested in the said regents by the act entitled "An act relative to the University," passed April 5, 1813, and by the Revised Statutes of this state. The said regents are

Regents to make rules, etc.

* These were previously recorded in the office of the secretary of state.

Power to incorporate under the act of 1853.

hereby empowered at any time by an instrument under their common seal, which shall be recorded in the office of the secretary of the board of regents,* to incorporate any university or college, or any academy, or other institution of learning under such name, with such number of trustees or other managers, and with such powers and privileges and subject to such limitations and restrictions, in all respects as may be prescribed by law, or as the said regents shall deem proper in conformity thereto; and every institution so incorporated, in addition to the powers which may be vested in them as aforesaid, shall have the general powers of a corporation under the Revised Statutes of this State.—[*Laws of* 1853, ch. 184, § 1.

Medical colleges, how incorpo'd.

§ 6. Any citizens not less than ten in number, of whom a majority shall be inhabitants of this state, who may desire to found or endow a medical or surgical college or school within this state, may make, sign and acknowledge, before some officer authorized to take the acknowledgment of deeds, a certificate in writing, in which shall be stated the corporate name of the proposed institution, the names of the persons proposed for first trustees, the plan on which and the funds with which it is intended to found and provide for said institution, and the name of the town or city in which it is proposed to locate the same; and shall file such certificate in the office of the secretary of the board of regents,* and trans-

* Laws of 1855, ch. 471, § 1.

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mit a duplicate thereof to the presiding officer of the regents of the university of the state of New York.—[*Idem*, § 6.

§ 7. If it shall appear to the satisfaction of the re- Idem. gents of the university that the sum of fifty thousand dollars has been subscribed in good faith for the endowment of such institution by the valid subscription of responsible parties, and that at least two-thirds of that sum has been actually paid in or secured in such manner as the regents may approve, to be invested in buildings and site for college, museum, library, apparatus and other needful appurtenances of a medical college, or in bonds and mortgages on unincumbered real estate or stocks of the United States or of this state, they shall, by act under their seal, grant a charter pursuant to the provisions of this act for the incorporation of such college (naming therein, as first trustees, the persons specified in said certificate) for a term of five years, with a condition or proviso therein, that if, within the said term of five years, the trustees of said college shall present to the regents satisfactory evidence that there has been paid in and invested, as above prescribed, the whole of said sum of fifty thousand dollars, the charter thereof shall be made perpetual. Upon the fulfillment of said condition, or upon the payment in the first instance of the said sum of fifty thousand dollars, the said regents shall grant said college a perpetual charter.—[*Idem*, § 7.

§ 8. Such college may hold and possess real and

Amount of property that may be held.

personal property to the amount of two hundred thousand dollars; but the funds or property thereof shall not be used for any other purpose than for the legitimate business of such institution, in the promotion of medical and surgical science, and instruction in all departments of learning connected therewith.—[*Idem*, § 8.

§ 9. Such college shall be subject to the general

Subject to visitation of regents.

provisions of the Revised Statutes, so far as the same are applicable, regulating the practice of physic and surgery within this state. It shall be subject to the visitation of the regents of the university, and shall make an annual report to them, on oath, of the condition of said college and the various matters required by law to be reported by other colleges and academies, and of the investment of the funds of said college; and if at any time it shall appear that the sum required to be paid in has not been invested in the manner specified in the seventh section of this act, the regents of the university are hereby empowered to vacate and annul said charter. —*Idem*, § 9.

§ 10. Every institution incorporated under this act

Subject to general liabilities, etc.

shall have and possess all the powers and privileges, and be subject to the provisions, liabilities and restrictions of the eighteenth chapter of the first part of the Revised Statutes, so far as the same are applicable and have not been repealed. The board of trustees, which shall consist

Trustees.

of not less than ten nor more than twenty-

four persons, shall have power to make all needful by-laws and rules for the government and regulation of said college, the appointment of professors, instructors, and other officers thereof, the term of office and election of trustees, and so forth, not inconsistent with this act and the laws of this state. Such by-laws may be altered or amended by a vote of two-thirds of the members constituting said board, notice being given at a previous regular meeting of said board.—[*Idem*, § 10.

Trustees may confer degree of M. D.

§ 11. The trustees for the time being, of every college incorporated pursuant to this act shall have power to grant and confer the degree of doctor of medicine upon the recommendation of the board of professors of said college, and of at least three curators of the medical profession appointed by said trustees. But no person shall receive a diploma, conferring such degree, unless he be of good moral character and of the age of twenty-one years, and shall have received a good English education, and shall have pursued the study of medicine and the sciences connected therewith for at least three years after the age of sixteen years, and have received instruction from some physician and surgeon, fully qualified to practice his profession, until he is qualified to enter a medical college, and (except in cases hereafter provided) shall also after that age have attended two complete courses of lectures delivered in some incorporated medical college.—[*Idem*, § 11.

§ 12. The board of trustees of every such college

Indigent scholars.

shall, upon payment of matriculation and demonstrator's fees (which shall not exceed the sum of five dollars each), admit to its course of instruction, without further charge, any number of young persons of the state of New York (not exceeding ten at any one time), of good scholarship and moral character, who are in indigent circumstances; the evidence of qualification shall be a certificate from the judge of the county in which the applicant resides.— [*Idem*, § 12.

Stock corporations, how formed.

§ 13. It shall be lawful for any academy or high school for literary, scientific, charitable or religious purposes, to issue, create and possess a capital stock not exceeding fifty thousand dollars, which stock shall be deemed personal property and shall be issued in shares of not less than ten dollars each to the several persons subscribing for and paying in the same: and in the election of trustees of any such corporation, each stockholder shall be entitled to give one vote upon each share of stock actually owned by him at the time of such election.—[*Laws of* 1851, ch. 544, § 1; *Laws of* 1853, ch. 184, § 4.

Idem.

§ 14. Whenever any such corporation formed for the purpose of establishing an academy or high school shall have erected a building for school purposes of the value of two thousand dollars, and shall in all other respects comply with the conditions provided by law to authorize the regents to incorporate academies, said corporation shall be declared an

academy by the regents of the university, and shall enjoy all the rights and privileges conferred by law on the academies of this state.—[*Idem*, § 2.

§ 15. No academy or institution of learning shall Dividends. hereafter pay to its stockholders, shareholders, or other persons claiming rights of ownership therein, any dividends, or any portion of its earnings or other income, from whatever source derived, while there is any outstanding indebtedness against the said academy or institution.—[*Laws of* 1859, ch. 426, § 1.

§ 16. The said regents may at any time, on sufficient cause shown, and by an instrument under their common seal, to be recorded as aforesaid, alter, amend or repeal the charter of any college, university, academy or other institution of learning, which may hereafter be incorporated by them; and may, on the petition of any college, academy or other institution of learning in this state, now existing and subject, or which may hereafter become subject to their visitation, alter or modify the charter, and the rights, powers and privileges of such institution, in such manner and on such terms and conditions as they may deem proper.—[*Laws of* 1853, ch. 184, § 2.

Regents may alter, amend or repeal charters.

§ 17. All applications for charters for colleges and academies, and all charters of colleges and academies, granted by the regents of the university, and all amendments or alterations of the same, shall be recorded in the office of the secretary of the board of regents, instead of the office of the secretary of state.—[*Laws of* 1855, ch. 471, § 1.

Charters, etc., where recorded.

§ 18. The fees for recording applications as to colleges and academies, and for other services mentioned in the second section of the said act hereby amended, are hereby abolished.—[*Laws of* 1870, ch. 60, § 2.

Fees abolished.

§ 19. The said regents are also hereby authorized to cause to be transcribed into a book, to be by them provided and kept for that purpose, all applications for charters of colleges or academies, all charters thereupon granted, and all amendments to the same at present found recorded in book of deeds number forty-three, now remaining in the office of the secretary of state.—[*Laws of* 1853, ch. 471, § 83.

Record of charters.

§ 20. Copies of and extracts from any and all records, books, papers, documents, files and manuscripts in the possession or custody of the regents of the university as such, or as trustees of the state library, or otherwise, in their official capacity, and duly authenticated under the hand of the chancellor or secretary, and under the common seal of the said regents, as a true copy of such original and of the whole thereof as aforesaid, may be used and read in evidence in all courts and places in this state, with the same force and effect as the originals might be, if produced.—[*Laws of* 1870, ch. 60, § 1.

Copies of records may be read in evidence.

§ 21. The board of education of every union free school district shall severally have power to establish in the same an academical department, whenever in their judgment the same

Academical department of union school.

is warranted by the demand for such instruction. —[*Laws of* 1864, ch. 555, title ix, § 13.

Under visitation of regents.

§ 22. Every academical department, established as aforesaid, shall be under the visitation of the regents of the university, and shall be subject, in its course of education and matters pertaining thereto (but not in reference to the buildings or erections in which the same is held), to all the regulations made in regard to academies by the said regents. In such departments the qualifications for the entrance of any pupil shall be as high as those established by the said regents for participation in the literature fund of any academy of the state under their supervision.—[*Idem*, § 23.

Academy, how merged in union school.

§ 23. Whenever a union free school shall be established under the provisions of this title, and there shall exist within its district an academy, the board of education, if thereto authorized by a vote of the voters of the district, may adopt such academy as the academical department of the district, with the consent of the trustees of the academy, and thereupon the trustees, by a resolution to be attested by the signatures of the officers of the board, and filed in the office of the clerk of the county, shall declare their offices vacant, and thereafter the said academy shall be the academical department of such union free school.—[*Idem*, § 24.

§ 24. In any union free school district established under the laws of this State, it shall be the duty of

the board of education, upon the application of fifteen resident tax payers of such district, to call a special meeting in the manner prescribed by law, for the purpose of determining whether application shall be made in the manner hereinafter provided, for the dissolution of such union free school district, and for its reorganization as a common school district or districts.—[*Laws of* 1880, ch. 210, § 1.

Union free school district, how dissolved.

§ 25. Whenever, at any such meeting called and held as aforesaid, it shall be determined by a majority vote of the legal voters present and voting, to be ascertained by taking and recording the ayes and noes, not to dissolve such union free school district, no other meeting for a similar purpose shall be held in said district within three years from the time the first meeting was held, and whenever, at any such meeting called and held as aforesaid, it shall be determined by a two-thirds vote of the legal voters present and voting, to be ascertained by taking and recording the ayes and noes, to dissolve such union free school district, it shall be the duty of the board of education to present to the clerk of the board of supervisors a certified copy of the call, notice and proceedings, and the said clerk shall lay the same before the board of supervisors at their next meeting. If the board of supervisors shall approve of the proceedings of said meeting, the clerk shall certify the same to the board of education. Such approval shall not take effect until the thirtieth day of September next succeeding; but after that date such district

shall cease to be a union free school district.—[*Idem*, § 2.

§ 26. If there shall be in such dissolved union free school district an academy which shall have been adopted as the academic department of the union free school, under the provisions of title nine, chapter five hundred and fifty-five of the laws of eighteen hundred and sixty-four, it shall, upon the application of a majority of the surviving resident former trustees or stockholders, be transferred by the board of education to said former trustees or stockholders.—[*Idem*, § 4.

Transfer of academic property.

§ 27. Any union school in this State duly organized according to law, by complying with the requirements of the "Regents of the University," shall be entitled to all the benefits and privileges in the academies in this State.—[*Laws of* 1862, ch. 450.

Privileges.

§ 28. The founders and benefactors of any school established, or to be established for the instruction of youth, on the system of Lancaster or Bell, or any other system of instruction approved by the board of regents, or as many of such founders as shall have contributed more than one-half of the property collected or appropriated for the use of such school, may make to the regents of the university, an application in writing, under their hands, requesting that such school may be incorporated, nominating the first trustees, and specifying the name by which the corporation is to be called.—[1 R. S. 464, § 57.

Lancasterian schools, how incorporated.

§ 29. In case the regents shall conceive a compliance with such request will be conducive to the diffusion of useful knowledge, they shall, by an instrument under their common seal, declare their approbation of the incorporation of the trustees of the school, by the name specified in such application. —[1 R. S. 465, § 58.

Idem.

§ 30. The request in writing, and instrument of approbation, shall be recorded in the office of the clerk of the county, in which such school shall be established.—[*Idem*, § 59.

Record.

§ 31. Immediately after recording the same, the property and funds of such school shall be vested in the trustees so nominated, for the use and benefit of the school.—[*Idem*, § 60.

Title.

§ 32. Every school incorporated under the provisions of this article shall be subject to the control and visitation of the regents; and shall make such returns and reports, in relation to the state and disposition of its property and funds, the number and ages of its pupils, and its system of instruction and discipline, as the regents shall from time to time require.—[1 R. S. 466, § 66.

Subject to visitation.

§ 33. The "Act for the incorporation of benevolent, charitable, scientific and missionary purposes," passed April twelfth, eighteen hundred and forty-eight, shall be deemed to authorize the incorporation of any society for the purpose of establishing and maintaining any educational institution.—[*Laws of* 1870, ch. 51, § 1.

General act of incorporation.

§ 34. Any university or college incorporated under the said act, or under this act, may take and hold by gift, grant, devise or bequest, property or endowment not exceeding in value or amount one million of dollars, subject however to the restriction upon devises and bequests contained in an act entitled "An act relating to wills," passed April thirteen, eighteen hundred and sixty.—[*Idem*, § 3.

Amount of endowments.

§ 35. This act shall apply as well to societies heretofore organized under the aforesaid act, as to those which shall be hereafter organized.—[*Idem*, § 5.

Former organizations.

§ 36. Any five or more persons of full age, citizens of the United States, a majority of whom shall be citizens of this State, who shall desire to associate themselves for benevolent, charitable, scientific or missionary purposes, may make, sign and acknowledge before any officer authorized to take the acknowledgment of deeds in this State, and file in the office of the Secretary of State, and also in the office of the clerk of the county in which the business of such society is to be conducted, a certificate in writing in which shall be stated the name or title by which such society shall be known in law, the particular business or object of such society, the number of trustees, directors or managers to manage the same, and the names of the trustees, directors or managers of such society for the first year of its existence; and any corporation organized, or which may hereafter be organized, under the provisions of this act, may from time to time change the title of the members of their managing board, or increase or reduce the number thereof to not less than five, on the consent in writing of two-thirds of their number. Such amendment to be filed with the original certificate, but such certificate or amendment thereof shall not be filed unless by the written consent and approbation of one of the justices of the supreme court of the district in which the place of business or principal office of such company or association shall be located, to be indorsed on such certificate.—[*Laws of* 1848, ch. 319, § 1, as amended by *Laws of* 1879, ch. 252, § 1.

CHAPTER III.

OF THE POWERS AND DUTIES OF TRUSTEES OF COLLEGES AND ACADEMIES.

1. *Of Colleges.*

SEC. 1. The trustees of every college, to which a charter shall be granted by the state, shall be a corporation.— [1 R. S. 460, § 31.

Corporation.

§ 2. The trustees shall meet upon their own adjournment, and as often as they shall be summoned by their chairman, or in his absence, by the senior trustee, upon the request in writing of any other three trustees.— [*Idem*, § 32.

Meetings.

§ 3. Notice of the time and place of every such meeting shall be given in a newspaper printed in the county where such college is situate, at least six days before the meeting; and every trustee resident in such county shall be previously notified in writing, of the time and place of such meeting.— [*Idem*, § 33.

Notices thereof.

§ 4. Seniority among the trustees shall be determined according to the order in which they are named in the charter of the college; and after all the first trustees shall become extinct, according to the priority of their election.—[*Idem*, § 34.

Seniority.

§ 5. The trustees shall not exceed twenty-four, nor be less than ten, in number, and a majority of the whole number shall be a quorum for the transaction of business.—[*Idem*, § 35.

Number and quorum.

§ 6. The trustees of every such college, besides the general powers and privileges of a corporation, shall have power:

Powers of trustees.

1. To elect by ballot their chairman annually:

2. Upon the death, removal out of this state, or other vacancy in the office of any trustee, to elect another in his place by a majority of the votes of the trustees present:

3. To declare vacant the seat of any trustee, who shall absent himself, from five successive meetings of the board:

4. To take and hold, by gift, grant or devise, any real or personal property, the yearly income or revenue of which, shall not exceed the value of twenty-five thousand dollars:

5. To sell, mortgage, let and otherwise use and dispose of such property, in such manner, as they shall deem most conducive to the interest of the college:

6. To direct and prescribe the course of study and discipline, to be observed in the college:

7. To appoint a president of the college, who shall hold his office during good behavior:

8. To appoint such professors, trustees and other officers, as they shall deem necessary, who, unless employed under a special contract, shall hold their offices during the pleasure of the trustees:

9. To remove or suspend from office the president and every professor, tutor, or other officer employed under a special contract, upon a complaint in writing by any member of the board of trustees, stating the

misbehavior in office, incapacity or immoral conduct, of the person sought to be removed, and upon examination and due proof of the truth of such complaint; and to appoint any other person in place of the president or other officer, thus removed or suspended:

10. To grant such literary honors as are usually granted by any university, college, or seminary of learning in the United States; and in testimony thereof to give suitable diplomas, under their seal and the signature of such officers of the college, as they shall deem expedient:

11. To ascertain and fix the salaries of the president, professors and other officers of the college:

12. To make all ordinances and by-laws necessary and proper to carry into effect the preceding powers. —[*Idem*, § 36.

Effect of diplomas.

§ 7. Every diploma granted by such trustees, shall entitle the possessor to all the immunities which by usage or statute are allowed to possessors of similar diplomas granted by any university, college or seminary of learning in the United States. —[1 R. S. 461, § 37.

Location limited.

§ 7½. The degree of doctor of medicine conferred by any college in this State, shall not be a license to practice physic or surgery; nor shall any college have, or institute, a medical faculty, to teach the science of medicine, in any other place than where the charter locates the college.—[1 R. S. 455, § 21.

2. *Of Academies.*

Corporation.

§ 8. The trustees of every such academy shall be a corporation, by the name expressed in the instrument of approbation; they shall not be more than twenty-four, nor less than twelve, in number; and seven trustees of any academy shall be a

quorum for the transaction of business.—[1 R. S. 462, § 41; *Laws of* 1835, ch. 34, § 3.

§ 9. Such trustees, besides the general powers and privileges of a corporation, shall have authority:

Powers of trustees.

1. To adjourn from time to time, as they may deem expedient:

2. To elect by ballot their president, who shall hold his office for one year, and until another be chosen in his place:

3. Upon the death, resignation, refusal to act, removal out of this state, or other vacancy in the office of any trustee, to elect another in his place, by a majority of the votes of the trustees present:

4. To take and hold by gift, grant or devise, any real or personal property, the clear yearly income or revenue of which shall not exceed the value of four thousand dollars:

5. To sell, mortgage, let, or otherwise use and dispose of, such property, for the benefit of the academy:

6. To direct and prescribe the course of discipline and study in the academy:

7. To appoint a treasurer, clerk, principal, masters, tutors, and other necessary officers of the academy; who unless employed under a special contract, shall hold their offices during the pleasure of the trustees:

8. To ascertain and fix the salaries of all the officers of the academy:

9. To remove or suspend from office any officer employed under a special contract, upon a complaint in writing by a trustee, of the misbehavior in office,

incapacity or immoral conduct, of such officer, and upon examination and due proof of the truth of such complaint, and to appoint another person in the place of the officer so removed or suspended:

10. To make all ordinances and by-laws necessary and proper to carry into effect the preceding powers. — [1 R. S. 462, § 42.

Meetings.

§ 10. The trustees shall meet upon their own adjournment and as often as they shall be summoned by their president, or the senior trustee actually exercising his office, and residing within three miles of such academy, upon the request in writing of any other three trustees. — [1 R. S. 463, § 43.

Time and place.

§ 11. Every meeting so requested, shall be held at such time and place, as the president or senior trustee shall appoint, not less than five, nor more than twelve, days from the time of the request. — [*Idem*, § 44.

Notice thereof.

§ 12. Previous notice in writing of every such meeting shall be affixed on the door of the academy, within two days after its appointment; and at every meeting, adjourned or special, the president, or senior trustee present, shall preside. — [*Idem*, § 45.

Seniority.

§ 13. The seniority of the trustees shall always be determined according to the order of their nomination in the written application to the regents; and after all the first trustees shall become extinct, according to the priority of their election. — [*Idem*, § 46.

§ 14. If a trustee shall refuse or neglect to attend any two successive legal meetings of the trustees, after having been personally notified to attend, and if no satisfactory cause of his non-attendance be shown, the trustees may declare his office vacant.— [*Idem*, § 47.

Non-attendance, effect of.

§ 15. If any trustee of any academy shall, for one year, refuse or neglect to attend the legal meetings of the board of trustees of which he is a member, such non-attendance shall be deemed a resignation of the office of such trustee.— [*Laws of* 1835, ch. 123, § 2.

Idem.

§ 16. Where the number of trustees of any academy shall exceed twelve, the trustees thereof, at their annual meeting, may reduce the number of the original board of trustees to any number, not less than twelve, by abolishing the offices of those, who may omit to attend such meeting, and shall have omitted to attend two other legal meetings after notice.— [1 R. S. 463, § 48.

Number, how reduced.

§ 17. Where the number of trustees of any academy shall exceed twelve, and a vacancy shall happen in the office of any such trustees, and the vacancy shall not be filled by the election of another trustee within six months after the happening of such vacancy, the office of the trustee so becoming vacant shall be abolished.— [*Laws of* 1835, ch. 123, § 3.

Failure to fill vacancy, effect of.

§ 18. The trustees of any academy possessing a capital stock pursuant to the act chapter five hun-

Stock corporation, special powers of trustees.

dred and forty-four of the laws of eighteen hundred and fifty-one, may by their by-laws prescribe the mode and manner of electing trustees of the said academy, and may make all necessary rules and regulations relative to such election; and the said trustees may, if they so determine, be divided into three classes as nearly equal as may be, who shall serve respectively one, two and three years, such terms of service to be determined by drawing therefor under the direction of the said trustees; and the trustees thereafter elected shall serve three years. The trustees may fill all vacancies occurring in their number by death, resignation, removal from the state, or otherwise; and any election of trustees by any academy, under said law, heretofore held, is hereby affirmed and made valid, provided, that this act shall not affect any action heretofore brought arising out of any such election.—[*Laws of* 1853, ch. 184, § 3.

3. *Of Lancasterian and Select Schools.*

§ 19. The trustees of such school shall be a corporation, by the name expressed in the instrument of approbation.—[1 R. S. 465, § 61.

Corporation.

§ 20. The trustees of every such school, (besides the general powers and privileges of a corporation,) shall have authority,

Powers of trustees.

1. To elect, by ballot, their president, treasurer and clerk, annually:

2. Upon the death, resignation, refusal to act, removal out of the state, or other vacancy in the office of any trustee, to elect another in his place:

3. To appoint a master, assistants and other necessary officers of the school:

4. To remove or suspend any of them at pleasure, and to fix their respective salaries or compensation:

5. To appoint the times and places of their own regular meetings, and to adjourn from time to time:

6. To take and hold any real or personal property, the clear yearly income or revenue of which, shall not exceed the value of four thousand dollars:

7. To sell, mortgage, let, and otherwise use and dispose of, such property for the benefit of the school:

8. To make all ordinances and by-laws, necessary and proper, to carry into effect the preceding powers. —[*Idem*, § 62.

Non-attendance.

§ 21. If any trustee shall refuse or neglect to attend the stated meetings of the trustees, for four meetings successively, the office of such trustee may be declared vacant by the trustees.—[1 R. S. 466, § 63.

How made a district school.

§ 22. The trustees of one or more common-school districts in any city, town or village of this state, within which any incorporated Lancasterian, or other select school is, or shall be established, with the consent of a majority of the taxable inhabitants of such district or districts, expressed at a meeting called for that purpose, may agree with the trustees of such incorporated school, to make the same a district school.— [*Idem*, § 64.

Idem.

§ 23. Such incorporated school shall, during the continuance of such agreement, become a district school, and be entitled to all the benefits and privileges, and subject to all the regulations of other district schools.—[*Idem*, § 65.

Subject to visitation of regents

§ 24. Every school incorporated under the provisions of this article shall be subject to the control and visitation of the regents; and shall make such returns and reports, in relation to the state and disposition of its property and funds, the number and ages of its pupils, and its system of instruction and discipline, as the regents shall from time to time require.—[*Idem*, § 66.

4. *General Provisions Applicable to Colleges and Academies.*

No religious test.

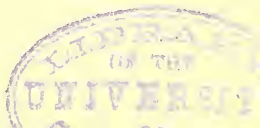
§ 25. No religious qualification or test shall be required from any trustee, president, principal, or other officer of any incorporated college or academy, or as a condition for admission to any privilege in the same.—[1 R. S. 463, § 49.

No acad. prof. or tutor to be a trustee.

§ 26. No professor or tutor of any incorporated academy shall be a trustee of such academy. —[1 R. S. 464, § 50; Laws of 1876, ch. 132, § 1.

When not to vote.

§ 27. No president, professor or tutor of any incorporated college, or principal of any incorporated academy, who shall be a trustee, shall have a vote in any case relating to his own salary or emoluments.—[1 R. S. 464, § 51; Laws of 1876, ch. 132, § 2.



CHAPTER IV.

ANNUAL REPORTS OF COLLEGES AND ACADEMIES AND THE DISTRIBUTION OF THE PUBLIC FUNDS.

SEC. 1. Every college and academy that shall become subject to the visitation of the regents, shall make such returns and reports to the regents, in relation to the state and disposition of its property and funds, the number and ages of its pupils, and its system of instruction and discipline, as the regents shall from time to time require.—[1 R. S. 464, § 55.

Reports to regents.

§ 2. Every college and academy, subject to the visitation of the regents of the university, shall make up its annual report and transmit the same to the secretary of the regents on or before the first day of October, in each year.—[*Laws of* 1879, ch. 289.

Idem.

§ 3. The regents shall prescribe the forms of all returns, which they shall require from colleges and other seminaries of learning, subject to their visitation, and may direct such forms and such instructions, as from time to time, shall be given by them as visitors, to be printed by the state printer.—[1 R. S. 459, § 29.

Regents to prescribe forms.

§ 4. Every academy or institution of learning subject to the visitation of the regents, is hereby required, as early as possible after the passage of this act, at a legal meeting of the trustees, to declare on its minutes the termination of its academic year, and which, in all cases, shall be some period between

Academic year.

the twentieth day of June and the fifteenth day of September, in each year.— [*Laws of* 1856, ch. 54.

Report, when to be transmited.

§ 5. Every academy shall make up its annual report for said academic year, and shall transmit the same to the regents on or before the first day of October in each year, stating in the same the termination of their academic year.— [*Laws of* 1855, ch. 50, § 2; 1879, ch. 289.

Contents of reports.

§ 6. Every such return shall be attested by the oath either of the principal instructor of the seminary by which it shall be made, or of one of the trustees thereof, and shall contain:

1. The names and ages of all the pupils instructed in such seminary, during the preceding year, and the time that each was so instructed.

2. A particular statement of the studies pursued by each pupil, at the commencement of his instruction, and of his subsequent studies, until the date of the report, together with the books the student shall have studied in whole or in part, and if in part, what portion.

3. An account or estimate of the cost or value of the library, philosophical and chemical apparatus, and mathematical and other scientific instruments belonging to the seminary.

4. The names of the instructors employed in the seminary, and the compensation paid to each.

5. An account of the funds, income, debts and incumbrances of the seminary, and of the application therein, of the moneys last received from the regents. —[1 R. S. 459, § 27.

§ 7. There shall be paid annually by the treasurer, on the warrant of the comptroller, out of the revenues derived from the literature fund, to the several academies under the supervision of the regents of the university, the sum of twelve thousand dollars, and the further sum of twenty-eight thousand dollars from the income of the United States deposit fund, being in all forty thousand dollars, according to an apportionment to be made by the regents among the said academies, in proportion to the number of pupils in each who shall have pursued the requisite studies to enable them to share in said distribution.—[*Laws of* 1851, ch. 536, § 1.

Apportionment of literature fund.

§ 8. Every such distribution shall be made in proportion to the number of pupils in each seminary, who, for four months during the preceding year, shall have pursued therein classical studies, or the higher branches of English education, or both. Provided that in making such distribution the board of regents shall be authorized to apportion a certain part of said moneys, not to exceed the one-fourth part thereof, in proportion to the number of pupils in the several academies and academic departments of union schools who during the preceding year have passed the advanced examinations provided for in section six of chapter four hundred and twenty-five of the laws of eighteen hundred and seventy-seven, entitled "An act in regard to the instruction of common school teachers in academies and union schools and to the establishing of examina-

How distributed.

tions by the regents of the university as to attainments in learning."—[1 R. S., 458, § 24; *Laws of* 1880, ch. 514, § 1.

Studies. § 9. No pupil in any such seminary, shall be deemed to have pursued classical studies, unless he shall have advanced at least, so far as to have read in Latin, the first book of Æneid; nor to have pursued the higher branches of English education, unless he shall have advanced beyond such knowledge of arithmetic (including vulgar and decimal fractions), and of English grammar and geography, as is usually obtained in common schools.—[1 R. S. 459, § 25.

Conditions. § 10. No academy shall hereafter be allowed to participate in the annual distribution of the literature fund, until the regents of the university shall be satisfied that a proper building has been erected and finished to furnish suitable and necessary accommodation for such school, and that such academy is furnished with a suitable library and philosophical apparatus, and that a proper perceptor has been and is employed for the instruction of the pupils at such academy; and further, that the regents shall, on being satisfied that such building, library and apparatus are sufficient for the purposes intended, and that the whole is of the value at least of twenty-five hundred dollars, permit such academy or school to place itself under the visitation of the regents, and thereafter to share in the distribution of the moneys above mentioned, or any other of the literature fund in the manner now provided by law. The regents of the university may also admit to such distribution, and

to any other of the literature fund, any incorporated school, or school founded and governed by any literary corporation other than theological or medical, in which the usual academic studies are pursued, and which shall have been in like manner subjected to their visitation, and would in all other respects, were it incorporated as an academy, be entitled to such distribution.—[*Laws of* 1838, ch. 237, § 8.

Incorporated schools may be admitted to distribution.

§ 11. It shall be the duty of the regents of the university to require of every academy receiving a distributive share of public money under the preceding section equal to seven hundred dollars per annum to establish and maintain in such academy a department for the instruction of common school teachers, under the direction of the said regents, as a condition of receiving the distributive share of every such academy.* —[*Idem*, § 9.

Certain academies to instruct common school teachers.

§ 12. The regents of the university shall annually deliver to the comptroller a schedule of the distribution of the income of the said literature fund, designating the several institutions entitled to a participation, and the amount awarded to each; which schedule shall be delivered immediately after each annual distribution, and shall be authenticated by the signature of the chancellor and secretary of the said regents of the university, and their corporate seal.—[*Laws of* 1832, ch. 8, § 3.

Schedule of distribution to be delivered to the comptroller.

See, also, post, ch. V, § 3.

§ 13. The comptroller shall draw his warrant on the treasurer in favor of each institution, for the sum so awarded to it, and shall direct the manner in which the same shall be receipted and drawn from the treasury.—[*Idem*, § 4.

Warrant.

§ 14. All moneys received by any academy or other institution, in the annual distribution of the literature and United States deposit funds, shall be applied exclusively, by the trustees of such academy or institution, towards paying the salaries of teachers.—[*Laws of* 1859, ch. 426, § 1.

Moneys, how applied.

§ 15. There shall be paid by the treasurer, on the warrant of the comptroller, out of the income of the literature fund, to the regents of the university, three thousand dollars annually, to be assigned by them to such academies, subject to their visitation, for the purchase of text books, maps, and globes, or philosophical or chemical apparatus, as may apply for a part of the money for that purpose, on the terms prescribed in the second section of chapter one hundred and forty of the laws of one thousand eight hundred and thirty-four.—[*Laws of* 1851, ch. 536, § 3.

Appropriation for text books, etc.

§ 16. Such sum to any academy shall not exceed two hundred and fifty dollars in any one year, and no part shall be actually paid over, unless the trustees of the academy to which it is to be appropriated shall raise and apply an equal sum of money to the same object.—[*Laws of* 1834, ch. 140, § 2.

Amount.

Power of regents to grant relief.

§ 17. The regents of the university are hereby authorized and empowered to give such relief to academies in relation to the distribution of the public funds as has hitherto been rendered by the legislature, whenever in their judgment such relief is equitable and just, or rendered necessary by error in their reports or by error in distribution of said funds.—[*Laws of* 1857, ch. 527, § 4.

Annual report of regents.

§ 18. The regents shall annually, within ten days after the opening of the session in each year, report to the legislature an abstract of all the returns made to them, embracing a general view of the particulars contained therein, and shall also state in their report, the distribution made by them, during the preceding year, of the income of the literature fund, the names of the seminaries sharing in such distribution, and the amount received by each.*—[1 R. S. 459, § 28 ; *Laws of* 1855, ch. 50, § 3.

*See, also, ante, ch. I, § 18.

CHAPTER V.

STATE NORMAL SCHOOL, AND INSTRUCTION OF COMMON SCHOOL TEACHERS IN ACADEMIES.

SEC. 1. The said school (State Normal School, at Albany) shall be under the supervision, management and government of the superintendent of public instruction and the regents of the university. The said superintendent and regents shall from time to time, make all needful rules and regulations, to fix the number and compensation of teachers and others to be employed therein; to prescribe the preliminary examination, and the terms and conditions on which pupils shall be received and instructed therein; the number of pupils from the respective counties, conforming as nearly as may be to the ratio of population, and to provide in all things for the good government and management of the said school. They shall appoint a board consisting of five persons, of whom the said superintendent shall be one, who shall constitute an executive committee for the care, management and government of said school, under the rules and regulations prescribed as aforesaid, whose duty it shall be from time to time to make full and detailed reports to the said superintendent and regents, and among other things to recommend the rules and regulations which they deem necessary and proper for the said school. — [*Laws of* 1848, ch. 318, § 3; 1854, ch. 97, § 1.

Supervision and management.

Executive committee.

§ 2. Every teacher shall be deemed a qualified teacher who shall have in possession a diploma from the State Normal School.—[*Laws of* 1849, § 11.

Diploma.

§ 3. The superintendent and regents shall annually transmit to the legislature a full account of their proceedings and of the expenditures of money under this act, together with a detailed report of the progress, condition and prospects of the school.—[*Laws of* 1848, ch. 318, § 4.

Annual report.

§ 4. The treasurer shall pay yearly, on the warrant of the comptroller, out of the income of the United States deposit fund not otherwise appropriated, the sum of thirty thousand dollars for the instruction in academies and union schools in the science and practice of common school teaching, under a course to be prescribed by the regents of the university, and a sum not exceeding three thousand dollars, portion of said thirty thousand dollars, for instruction in such academies in physiology and the laws of health, and such other special subjects as the regents of the university shall deem necessary to be taught on a uniform system in all the academies so selected as aforesaid, by a teacher or teachers to be appointed by said regents; the same to be paid to such teacher or teachers on the certificate of the said regents that the said uniform course of instruction has been given by such teacher or teachers under their directions in conformity to the provisions of this act.—[*Laws of* 1855, ch. 410, § 1; 1864, ch. 556; 1877, ch. 425, § 1.

Appropriation for instruction of common school teachers.

§ 5. The said regents shall designate the academies and union schools in which the instruction shall be given, distributing them among the counties of the State as nearly as well may be, having reference to the number of school districts in each, to location and to the character of the institutions selected.—[*Laws of* 1877, ch. 425, § 2.

Appointments.

§ 6. Every academy and union school so designated shall instruct a class of not less than ten nor more than twenty-five scholars, and every scholar admitted to such class shall continue under instruction not less than ten weeks, all of which shall be in one school term. The regents shall prescribe the

Instruction.

conditions of admission to the classes, the course of instruction, and the rules and regulations under which said instruction shall be given, and shall, in their discretion, determine the number of classes which may be formed in any one year in any academy or union school, and the length of time exceeding ten weeks during which such instruction may be given, all of which shall be in the same school term. — [*Idem*, § 3.

Free tuition.

§ 7. Instruction shall be free to all scholars admitted to such classes, and who have continued in them the length of time required by the third section of this act. — *Idem*, § 4.

Compensation.

§ 8. The trustees of all academies and union schools in which such instruction shall be given shall be paid from the appropriation made by the first section of this act at the rate of one dollar for each week's instruction of each scholar, on the certificate of the regents of the university to be furnished to the comptroller. — *Idem*, § 5.

Certificate to comptroller.

§ 9. The comptroller shall not draw his warrant for any amount as above provided, until the trustees of such academies shall have furnished to the regents of the university satisfactory evidence that the course prescribed, as aforesaid, has been thoroughly pursued by a class previously designated, and instructed as common school teachers, and who the said trustees believe intend in good faith to follow the said occupation; and said trustees shall have obtained a certificate thereof, and presented the same to the comptroller. — [*Laws of* 1855, ch. 410, § 2.

CHAPTER VI.

THE STATE LIBRARY.

Trustees.

SEC. 1. The regents of the university of the state of New York, are hereby constituted and shall continue the trustees of the state library.—[*Laws of* 1844, ch. 255, § 1.

Librarians, how appointed.

§ 2. The trustees hereby appointed, shall have power, from time to time, to appoint a librarian to superintend and take care of the said library; and to prescribe such rules and regulations for the government of the library, as they shall think proper; and to remove the librarian at any time when they shall deem it expedient; but for the purpose of removing or appointing a librarian, twelve of the said trustees shall be required to form a quorum.—[*Idem*, § 3.

Assistant librarian and messenger.

§ 3. The assistant librarian, and messenger shall be appointed by the trustees of the library.—[*Laws of* 1848, ch. 262, § 2.

When to be open.

§ 4. The state library shall be kept open, every day in the year, Sundays excepted, during such hours in each day as the trustees of the said library may direct.*—[*Laws of* 1844, ch. 255, § 5.

*By a concurrent resolution of the senate and assembly, passed April 9, 1856, the trustees of the state library are authorized to close the said

§ 5. The librarian shall be constant in his personal attendance upon the library, during the hours it shall be directed to be kept open, and shall perform such other duties as may be imposed by law or by the rules and regulations which may be prescribed by the said trustees.— [*Idem*, § 6.

Duties of librarian.

§ 6. The acting trustees will from time to time, give directions to the librarian in relation to the proper and safe-keeping of the books, maps, charts and other property belonging to the said library, and may by way of amercement for every violation or neglect of duty, suspend or deduct from his salary or emolument, any part thereof not exceeding half of it in any one year.— [*Laws of* 1840, ch. 381, § 3.

Trustees to give directions.

Amercement for neglect of duty.

§ 7. The trustees of the state library, may from time to time, sell or exchange duplicate or imperfect books belonging to the library, not necessary for the use thereof.— [*Laws of* 1845, ch. 85, § 3.

Duplicates may be sold or exchanged.

§ 8. It shall be the duty of the trustees of the state library annually to report to the legislature the manner in which the moneys by them received during the year preceding have been expended, together with a true and perfect catalogue of all the books, maps and charts which have been added to the library since the date of the last preced-

Annual report.

library for the period of fifteen days in each year, to wit: from the fifth to the twentieth of August, for the purpose of cleaning and dusting the books of the said library, and for making such internal arrangements as the trustees may think proper. *See* p. 53.

ing annual report, and whether any, and if so, what books, maps and charts have been lost; and also at the end of every five years, to report in like manner a full and perfect catalogue of all the books, maps and charts then remaining in the library.— [*Laws of* 1844, ch. 255, § 7.

Members of legislature may take books.

§ 9. It shall be the duty of the trustees to provide, in their regulations, that any member of the senate or assembly, during the session of the legislature, or of the senate only, shall be permitted, under proper restrictions, forfeitures and penalties, to take to his boarding-house, or private room, any book belonging to the library, except such books, as the trustees shall determine are necessary always to be kept in the library, as books of reference; but no member of the legislature shall be permitted to take or detain from the library, more than two volumes at any one time.— [1 R. S. 216, § 6.

Members to return books.

§ 10. Before the president of the senate, or the speaker of the assembly, shall grant to any member a certificate of the time of his attendance, he shall be satisfied that such member has returned all books taken out of the library by him, and has settled all accounts for fines, for injuring such books, or otherwise.— [*Idem*, § 7.

Limitation.

§ 11. It shall also be the duty of the trustees to provide in their regulations, that no book, map, or other publication, shall be at any time taken out of the library by any other person than a member of the legislature, for any purpose whatever.— *Idem*, § 8.

§ 12. The heads of the several departments, and the trustees of the State library shall have the same right to take books from the library as is now enjoyed by the members of the legislature.—[*Laws of* 1845, ch. 85, § 1.

Heads of departm'ts and trustees may take books.

§ 13. The judges of the court of appeals and the justices of the supreme court, shall be allowed to take books from the library under the same regulations as the members of the legislature.—[*Laws of* 1848, ch. 262, § 3.

Judges and justices may take books.

§ 14. Of the copies of each volume of the reports of the court of appeals delivered to the secretary of State, he shall deposit three copies in the State library.—[*Laws of* 1847, ch. 280, § 74.

Copies of court of appeals' reports to be deposited in.

§ 15. Copies of and extracts from any and all records, books, papers, documents, files and manuscripts in the possession or custody of the regents of the university as such, or as trustees of the State library, or otherwise, in their official capacity, and duly authenticated under the hand of the chancellor or secretary, and under the common seal of the said regents, as a true copy of such original and of the whole thereof as aforesaid, may be used and read in evidence in all courts and places in this State, with the same force and effect as the originals might be, if produced.—[*Laws of* 1870, ch. 60, § 1.

Copies of records may be read in evidence.

§ 16. *Resolved*, That the law department of the State library having been established for the use of the officers of the government, the

Trustees may make rules, etc.

courts and the bar, as a library in which shall be gathered books to which such officers may be required to refer in the exercise of their duties; therefore it is the duty of the trustees of the said library to secure its uninterrupted use to such purposes whenever, in their judgment, it may become necessary; and that to secure that end, the said trustees should limit its use to such persons and officers especially during the session of the legislature and the terms of the courts; and should also, if it becomes necessary, inclose the books on the shelves, and make any other rules and regulations for the preservation of said library, which may not be inconsistent with the purpose thereof and the statutes concerning the same.—[*Concurrent Resolution, April* 16, 1861 (*Session Laws*, p. 831).

Copies of extra documents to be furnished by printer.

§ 17. *Resolved*, That there be added to the thirteenth standing rule of the joint rules of the senate and assembly, at the end thereof the following words: "Whenever extra copies of any document or publication of any kind shall be ordered printed, the printer shall be authorized and required to deliver to the trustees of the state library at least five copies in addition to the number so ordered for the use of the said library, and whenever more than five hundred copies are so ordered, the printer shall in like manner furnish five additional copies for each five hundred, for the purpose of literary exchanges."—[*Concurrent Resolution, April* 21, 1869 (*Session Laws*, p. 2418). 13*th Joint Rule*, 1875, *and subsequent years.*

§ 18. *Resolved,* That the trustees of the State library be authorized and required to close the said library for the period of fifteen days in each year, to wit: from the fifth to the twentieth days of August, for the purpose of cleaning and dusting the books of the said library, and for making such internal arrangements as the trustees may think proper.—[*Concurrent Resolution, April* 9, 1856 (*Session Laws,* p. 364).

Library to be closed for cleaning, etc.

CHAPTER VII.

THE STATE MUSEUM OF NATURAL HISTORY.

State cabinet of natural history.

§ 1. The regents of the university are hereby authorized and directed to make suitable provisions for the safe-keeping of the cabinets of natural history now deposited in the old State hall, and to employ a person to take charge of the same.—[*Laws of* 1845, ch. 179, § 1.

Regents and others the custodians of.

§ 2. The hall for the State cabinet [now museum] of natural history, and the agricultural museum, is placed under the joint care and custody of the regents of the university and the executive committee of the State agricultural society.—[*Laws of* 1863, ch. 125.

All bills and charges shall be audited and paid only on the certificate of the secretary of the board of regents and the secretary of the State agricultural society.—[*Laws of* 1873, ch. 643 (p. 1004).

The building shall hereafter be under the supervision and control of the commissioners of the land office, and the bills therefor audited by the comptroller.—[*Laws of* 1874, ch. 323 (p. 383).

The said museum shall hereafter be under the sole charge of said regents.—[*Laws of* 1876, ch. 193 (p. 182).

Rooms in State Hall.

Resolved, That the trustees of the State Museum be authorized to occupy, for the purposes of said Museum, such rooms in the State Hall as may be vacated, under the direction of the trustees of the State Hall.—[*Concurrent Resolution, March* 24, 1881.

State museum of natural history.

§ 3. The State cabinet of natural history is hereby established as a museum of scientific and practical geology and general natural history, at the capital of the State, under the care and custody of the regents of the university, to be known hereafter as "The New York State Museum of Natural History."— [*Laws of* 1870, ch. 557, § 1.

Organization.

§ 4. The museum shall be organized in accordance with the plan recommended to the legislature by the board of regents, in their report of eighteen hundred and sixty-six, and the present curator shall act as director of the museum, and shall supervise and direct all its scientific and practical operations, and he shall appoint such assistants or curators of departments as may be required for the accomplishment of said plan, with the concurrence of the chancellor of the board of regents, or the committee of the same having charge of the museum. — [*Idem*, § 2.

Free scientific lectures.

§ 5. It shall be the duty of the director of the museum and the chancellor of the board of regents to organize a plan and make the necessary arrangements to establish an annual course of free scientific lectures in connection with the museum, as soon as practicable, and within two years from the passage of this act. — [*Idem*, § 3.

Appointment of assistants, etc.

§ 6. The assistants and curators of departments provided for by the second section of the act entitled "An act in relation to the State Cabinet of Natural History," passed May second, eighteen hundred and seventy, shall be appointed by the director of the State Museum of Natural His-

tory, with the concurrence of the board of regents of the university. — [*Laws of* 1871, ch. 711, § 1.

§ 7. The annual course of free scientific lectures authorized by the third * section of said act shall be organized under the direction of the board of regents and the director of the State Museum. — [*Idem*, § 2.

Lectures.

§ 8. For the salary of the director, as established in the appropriation bill of eighteen hundred and seventy, for three assistants as now employed by him, and for the increase and preservation of the collection, the sum of ten thousand dollars annually shall be and is hereby appropriated, and all expenditures for compensation of assistants, or for the increase and preservation of the collections, shall be made by the director, with the approval of the board of regents of the university.— [*Laws of* 1870, ch. 557, § 4; ch. 492 (p. 1100); *Laws of* 1871, ch. 711, § 3.

Salary of officers.

§ 9. The botanical department as now organized shall be continued as originally contemplated, for three years from the end of the present year.— [*Laws of* 1870, ch. 557, § 5.

Botanical departm't.

Distribution of Duplicates.

§ 10. The State palæontologist, under the direction of the regents of the university, is hereby authorized to select from the duplicate fossils and minerals belonging to the State, as full and complete a collection of specimens as can be made for

To Cornell library.

* Same as § 5, above.

the purpose, and label and mark the same with their proper scientific names, so that they shall be properly distinguished, and present them in the name of the State to the Cornell library; the labeling being done at the expense of said library. — [*Laws of* 1865, ch. 697.

§ 11. The State palæontologist, under direction of the regents of the university, is hereby authorized to select from the duplicate fossils and minerals belonging to the State, as full and complete a collection of specimens as can be made for the purpose, and label and mark the same with their proper scientific names, so that they shall be properly distinguished, and present them, in the name of the State, to the Cornell University at Ithaca, New York. — [*Laws of* 1868, ch. 179, § 1.

To Cornell university.

§ 12. The Cornell library is hereby empowered to transfer to the Cornell university any articles or things whatsoever, or right to receive any articles or things whatsoever, which said Cornell library has already received, or has been or will be entitled to receive, under and by virtue of an act entitled "An act to donate to the Cornell library a collection from the duplicates of fossils and minerals belonging to the State," passed May eleven, eighteen hundred and sixty-five, by resolution of the trustees of said Cornell library at any regular meeting thereof. — [*Idem*, § 2.

Transfer from Cornell library.

§ 13. The curator of the State cabinet, under the direction of the regents of the university, is hereby authorized to select from the duplicate specimens of natural history belonging to the State, and those which the State may acquire,

To American Museum of Natural History.

and from all other specimens of natural history which may be disposed of by the regents or the State, the first and best series of specimens, subject, however, to the rights of other institutions under existing laws, and label the same with their proper scientific names, and present them, in the name of the State, to the American Museum of Natural History in the city of New York ; all of which is to be done at the expense of said Museum. — [*Laws of* 1869, ch. 774.

§ 14. The Syracuse university is hereby included in the provisions specified in chapter one hundred and seventy-nine of the laws of eighteen hundred and sixty-eight, in regard to the distribution of duplicate fossils and minerals to the Cornell university. — [*Laws of* 1872, ch. 541 (*Session Laws,* p. 1241).

To Syracuse university

§ 15. *Resolved,* That the regents of the university shall have the authority to distribute from the State Museum, to the normal schools of the State and to such institutions as are subject to their visitation, such duplicate specimens illustrating the Natural History of this State as may not be required for the Museum or for the institutions already designated by the legislature to receive such collections. — [*Concurrent Resolution. May* 6, 1875 (*Session Laws,* p. 824), as amended by *Con. Res.* of *March* 14, 1881 (*Sen. Journal,* p. 217).

To Normal and other schools.

CHAPTER VIII.

THE COLONIAL HISTORY OF THE STATE.

Copies of documents to be procured.

SEC. 1. An agent shall be appointed by the governor of this State, by and with the advice and consent of the senate, to visit England, Holland and France, for the purpose of procuring, if possible, the originals, and if not, copies of all such documents and papers in the archives and offices of those governments, relating to, or in any way affecting, the colonial other history of this State, as he may deem important to illustrate that history. — [*Laws of* 1839, ch. 315, § 1.

Place of deposit.

§ 2. The said documents and papers, when procured, shall be deposited in the office of the secretary of this State, subject to the use of the State Historical Society. — [*Idem*, § 2.

Documents to be translated, etc.

§ 3. The manuscript documents relating to the colonial history of this State, now in the office of the secretary of State, which were procured under and by virtue of an act of the legislature passed May 2, 1839, entitled "An act to appoint an agent to procure and transcribe documents in Europe relative to the colonial history of this State [ch. 315]," or such portions thereof as the State officers hereinafter named shall deem advisable, shall be translated and printed for the use of the State. —[*Laws of* 1849, ch. 175, § 1.

§ 4. The governor, secretary of State and comptroller, shall cause such documents to be prepared, printed and bound in volumes of such size as they may determine upon, and for such purpose are hereby authorized to employ some suitable person to translate such parts thereof as are necessary, at a reasonable compensation, to be fixed and certified by them. — [*Idem*, § 2.

Officers in charge.

§ 5. The said State officers shall issue proposals for the printing and binding of such numbers of copies of said documents as they shall deem advisable to cause to be printed, not exceeding five thousand, in the same manner as proposals are required to be issued for the printing and binding of legislative documents, and shall make a contract for such printing and binding with such person or persons as shall have submitted proposals therefor, which, all things considered, they may deem most advantageous to the interests of the State, provided any of said proposals shall be by them considered reasonable. — *Idem*, § 3.

Printing, etc.

§ 6. The said State officers are hereby authorized to cause such portions of said documents to be stereotyped as they may deem the interests of the State to demand, and to secure or sell the copyright thereof as in their judgment shall be for the interest of the State. — [*Idem*, § 4.

Copyright, etc.

§ 7. One thousand copies of said documents, when printed and bound, shall be deposited with the secretary of State, and one copy thereof delivered to each member of the present legis-

Mode of distribution.

lature, the president of the senate, clerks and elective officers of the present senate and assembly, and twenty-three copies thereof (being one to each) to the several State officers who are entitled to bound copies of legislative documents, and the residue of said one thousand copies shall be by said secretary of State retained until disposed of as the governor, secretary of State and comptroller may direct for the purpose, and, in the way of literary exchanges,* and the remaining copies, which shall be printed under the provisions of this act, shall be sold under the directions of said State officers, for such price as shall be determined by them, not less than twenty-five per cent over the actual cost of preparing, printing and binding the same, and the proceeds thereof paid into the State treasury. — [*Idem*, § 5.

§ 8. *Resolved*, That the secretary of State distribute and deliver to each member, officer and reporter of the legislature, one copy of the Colonial History of this State, excepting those who have already received or are entitled to a copy thereof, under the act to provide for the publishing of certain documents relating to the Colonial History of the State, passed March thirteenth, eighteen hundred and forty-nine.—[*Concurrent Resolution*, April 13, 1855, *Session Laws*, p. 1119.

§ 9. The publication of the documents relating to the Colonial History of the State, pursuant to chap-

* Under this provision, 500 copies were delivered to the Regents of the University, and 20 copies to J. R. Brodhead.—[*Regents' Minutes*, Jan. 12, 1854.

ter one hundred and seventy-five of the laws of eigh-
To be completed under direction of Regents.
teen hundred and forty-nine, shall be completed under the direction of the Regents of the University, who shall hereafter have the charge of the same, and of all things relating thereto, in place of and with the same powers as the officers named in said act. — [*Laws of* 1856, ch. 168, § 1.

§ 10. If the said Regents shall ascertain that by the
Discretion as to subject matter.
contracts already made in regard to the said work, the State has agreed to print the whole of said documents, and they shall be of opinion that portions only of those not yet printed should be published, they, the said Regents, may in that event arrange with the contractors for the publication, in the place of the documents thus withdrawn, of others in relation to the early history of the State, to an equivalent extent, so as not to increase the amount of the contract. The secretary of State is hereby authorized to permit all proper investigations in his office, and the use of any documents or books therein, for this purpose. — [*Idem*, § 2.

§ 11. Five copies of the said published documents
Mode of distribution.
shall be delivered to each member of the present legislature, and five copies thereof shall be given to each of the clerks, officers and reporters of the present senate and assembly, [and to the several public officers who are entitled to bound copies of legislative documents.]* Three hundred copies thereof shall be placed with the Regents of the University, and two hundred and fifty copies

* Words in brackets repealed by ch. 355, § 1, of Laws of 1857.

thereof with the secretary of State for literary exchanges and distribution, as they may deem proper. The remaining copies shall be offered for sale, under the direction of the Regents, on such public notice and on such terms and price, not less than two dollars and fifty cents per volume, as they may deem proper; and such copies as remain unsold at the end of six months, shall be placed in the custody of the Regents of the University, subject to future distribution by the legislature; the proceeds of any such sales made by the said Regents, after deducting their necessary expenses under this act, shall be paid into the State treasury. Persons who may have already subscribed for or purchased said documents, or such of them as may have been published, shall be credited with the amount they may have paid, and be allowed to complete their sets at the price fixed by the Regents as aforesaid. — [*Idem*, § 3.

Price, when sold.

Price to subscribers.

§ 12. *Resolved*, That the secretary of State, out of the two hundred and fifty copies of the Colonial History which he has authority to distribute under the act entitled "An act in relation to the Colonial History of the State and the publication and distribution thereof" [ch. 168, 1856], shall supply all persons with the additional volumes necessary to complete the sets to whom the volumes heretofore published have been voluntarily distributed.— [*Concurrent Resolution*, April 9, 1856; *Session Laws*, p. 365.

Certain sets may be made complete.

§ 13. So much of section three of the act in rela-

tion to the publication and distribution of the Colonial History of the State, passed April twelfth, eighteen hundred and fifty-six [ch. 168], which directs copies to be delivered to the several public officers who are entitled to bound copies of the public documents, is hereby repealed.—[*Laws of* 1857, ch. 355, § 1.

Certain sets may be completed.

§ 14. All persons now in possession of the volumes of said history already published shall be furnished with the remaining volumes on the same terms on which they have received the preceding ones, and each member, officer and reporter of this legislature, who has not received any copy thereof, shall be entitled to receive one complete copy; the remaining copies shall be at the the disposal of the Regents of the University [for the purpose of literary exchanges.]*— [*Idem*, § 2.

Literary exchanges.

Act how to be construed.

§ 15. The provisions of this act shall not be deemed to deprive any member or officer of the legislature, who was entitled to receive the same under said act of eighteen hundred and fifty-six, from receiving the same, or from receiving the future volumes on the same terms on which they received the preceding ones.—[*Idem*, § 3.

Mode of distribution.

§ 16. Section two, of the act entitled "An act to amend an act entitled 'An act in relation to the Colonial History of the State, and the publication and distribution thereof,' passed April twelfth, eighteen hundred and fifty-six," passed April thirteenth, eighteen hundred and fifty-seven, is hereby amended by striking out all after the word

* Words in brackets amended by chapter 81, Laws of 1858.

"university," and insert as follows: "Who shall deliver one full copy of said Colonial History to each member, officer and reporter of the present legislature, and also to the State officers, excepting those officers, reporters and State officers who have heretofore received copies by any resolution or law, passed by any previous legislature; the remaining copies shall be at the disposal of the Regents of the University, for the purpose of literary exchanges.—[*Laws of* 1858, ch. 81, § 1.

Index to be published.

§ 17. The Regents of the University are hereby directed to embody the index of the Colonial History in a separate volume, of a size uniform with those already printed, and to be distributed in the same manner and to the same persons designated in the foregoing section.—[*Idem*, § 2.

Mode of distribution.

§ 18. The Regents of the University are hereby directed to deliver to each member and officer of the present legislature, one copy of the Colonial History of the State, and one copy of the index to the same, when it shall be published.—[*Laws of* 1859, ch. 395, § 1.

Literary exchanges.

§ 19. The remaining copies are hereby continued at the disposal of the Regents, to be used for the purpose of literary exchanges.—[*Idem*, § 2.

Mode of distribution.

§ 20. The Regents of the University are hereby authorized and directed to deliver to each member and officer and reporter of the senate and assembly, one set of the Colonial History of the State of New York, and the index thereof, pro-

Proviso. vided there shall be found, on examination, to be a sufficient number of such history and index owned or procurable by the State, to supply such members and officers. And in case there should be any copies of said history and index left after supplying the members as above, one of such copies shall be distributed to the officers of said senate and assembly in the following order :

1. To the head clerks and their assistants.
2. To the postmasters and assistant postmasters.
3. To the sergeant-at-arms and their assistants.
4. To the doorkeepers and their assistants.
5. To the reporters. — [*Laws of* 1860, ch. 518, § 1.

§ 21. The Regents of the University are hereby Rebinding authorized. directed to cause such volumes of the Colonial History as have been damaged to be rebound, so far as in their judgment the same may be expedient, and the sum of two hundred dollars, or so much thereof as may be necessary, shall be paid by the treasurer on the presentation of the proper vouchers to the comptroller, and on his warrant for this purpose. — [*Idem*, § 2.

§ 22. For the legislative printing * * * and Publication of volume twelve. for printing volume twelve of the Colonial History, under direction of the secretary of State, one hundred thousand dollars.—[*Laws of* 1877, ch. 128, p. 138.

§ 23. For the legislative printing * * * and Publication continued. continuing publication of the Colonial History, * * * fifty thousand dollars.— [*Laws of* 1880, ch. 141, p. 255.

NOTE.—The printed set of Colonial History Documents consists of twelve quarto volumes. The eleventh volume is a general index of the first ten volumes.

CHAPTER IX.

THE NATURAL HISTORY OF THE STATE.

Geological survey provided for.

SEC. 1. The governor is hereby authorized and directed to employ a suitable number of competent persons, whose duty it shall be, under his direction, to make an accurate and complete geological survey of this State, which shall be accompanied with proper maps and diagrams, and furnish a full and scientific description of its rocks, soils and minerals, and of its botanical and zoological productions, together with specimens of the same; which maps, diagrams, and specimens shall be deposited in the State library; and similar specimens shall be deposited in such of the literary institutions in this State as the secretary of State shall direct. — [*Laws of* 1836, ch. 142, § 1.

Old State hall and lot.

§ 2. The commissioners of the land-office are authorized to receive such further grant or extension of the conveyance from the corporation of the city of Albany, of the old State hall and lot on which it stands, with such modifications and on such terms and conditions as the said commissioners may deem beneficial to the interest of the State. — [*Laws of* 1840, ch. 245, § 1.

State museum building.

§ 3. When the above named grant shall be obtained, the trustees of the new State hall are authorized and required to fit up and prepare rooms in the old State hall, as soon as the same shall be vacated, in such manner as they may deem proper, for a State museum, in which to ar-

range and display the various specimens, maps, figures and illustrations, which may be collected and prepared by the geological corps in the survey of the State. — [*Idem*, § 2.

Continuance of survey.

§ 4. The governor is hereby authorized to continue the geological survey of the State, in the same manner in which it has heretofore been conducted, until the first Tuesday in January, one thousand eight hundred and forty-two; provided the expense shall not exceed the unexpended balance of moneys appropriated for the survey by the act passed April 15, 1836. — [*Laws of* 1840, ch. 246.

Geological survey volumes, how distributed.

§ 5. *Resolved*, That the geological survey of this State, when completed, shall be distributed as follows: five copies to the governor; five copies to the lieutenant-governor; one copy to each member of the senate and assembly, and to the several officers of the same; one copy to each of the several State officers; three copies to the State library; one copy to each county clerk's office in this State; one copy to each incorporated college in this State; and that the remaining copies thereof shall be deposited in the office of the secretary of State, to be distributed in such manner as the said secretary may deem expedient and proper, or as the legislature may hereafter direct. — [*Concurrent Resolution*, May 26, 1841; *Session Laws*, p. 372; *repealed by Laws of* 1842, ch. 149, § 6.

Continuance of survey.

§ 6. The governor is hereby authorized to continue, until the first Tuesday in January, one thousand eight hundred and forty-three, such of

the various departments of labor connected with the geological survey of this State, as may be necessary to insure its ultimate completion and publication according to the plan heretofore contemplated. — [*Laws of* 1842, ch. 149, § 1.

§ 7. The secretary of State is hereby directed to secure a copyright of the geological survey for the benefit of this State. — [*Idem*, § 3.

Copyright.

§ 8. Whenever two or more volumes of the geological survey shall be published, the governor and secretary of State may cause such books to be sold, at such prices as they may deem expedient, and any moneys derived from such sales shall be applied to the same purposes as the appropriation made by the second section of the act ["materials furnished or services rendered."]—[*Idem*, § 4.

Sale of volumes authorized.

§ 9. The geological survey, as fast as completed (except such volumes as may be sold according to the provisions of section four), shall be distributed as follows: Two copies to the governor, two copies to the lieutenant-governor, one copy to each surviving ex-governor, and one copy to each surviving ex-lieutenant-governor; one copy to each member of the present legislature, one copy to each of the geologists engaged in said survey, three copies to the State library, one copy to each county clerk's office in this State, one copy to each incorporated college in this State, and the remaining copies shall be deposited in the office of the secretary of State, to be sold or disposed of in such manner as the legislature may hereafter direct. — [*Idem*, § 5.

Distribution, gratuitous.

§ 10. The concurrent resolution of the senate and assembly, passed May 26, 1841, in relation to the distribution of the said geological survey is hereby repealed. — [*Idem*, § 6.

Survey continued.

§ 11. The governor is hereby authorized to continue such of the various departments of labor connected with the geological survey of this State, as may be necessary to insure its ultimate completion and publication according to the plan heretofore contemplated, and to contract with the printers to the assembly for the publication of the same, at prices advantageous to the State. — [*Laws of* 1843, ch. 85, § 1.

Price per volume.

§ 12. Whenever two or more volumes of the said work shall be completed, the governor and secretary of State may cause such books to be sold at such prices as they shall deem proper, not less than two dollars per volume, and any moneys derived from such sales may be applied to the payment of the geologists for any debt due them from the State on account of services connected with said work. — [*Idem*, § 4.

Contract for printing.

§ 13. Articles of agreement made this twenty-fourth day of April, 1843, between the people of the State of New-York, by William C. Bouck, Governor, pursuant to an act entitled "An act in relation to the Natural History of New-York," passed April 8, 1843, of the first part, and Thomas B. Carroll and Alanson Cook, printers to the Assembly, of the second part, Witnesseth: That the said parties of the second part hereby covenant and agree to publish and print all that which remains to be done to complete all

the volumes of the Natural History of the State of New-York, and also to bind the said volumes; the said printing and binding is in all respects to be as well executed and of as good paper as the first volumes of said History already printed.

The said parties of the second part are to receive from the Treasury, for said printing and binding, the following prices, to wit: For the composition of every one thousand ems, forty-five cents; for every ream of paper necessarily used, at the rate of five dollars per ream; for the press work, at the rate of one dollar for every white token; for pressing the sheets, at the rate of fifty cents for every ream; for folding, at the rate of forty cents for every ream; for binding, at the rate of sixty-five cents per volume.

The foregoing prices are to include the expense of furnishing all the materials, labelling the volumes, in pressing on the outer side of the covers the appropriate illustrations, and the performance of every kind of labor, and every necessary expense, to a perfect completion of the said printing and binding, in all respects; excepting, however, if there should be any rule work, as it is technically called, that is, columns of matter that require to be justified, an additional allowance of twenty cents for every one thousand ems of such work is to be paid.

The said volumes are to be of the same size as those now printed, and every part of the work comprised in this contract shall be done in such manner and at such time as shall be required by, and approved of, by the person administering the government of this

State, on whose certificate the Treasurer will be required to pay, out of any moneys in the Treasury, not otherwise appropriated, the sum to which the said parties of the second part shall be entitled under this contract, and as fast as each volume shall be completed, approved of by the Governor, and deposited in the office of the Secretary of State.

In witness whereof the parties have hereunto subscribed their names, this day and year first above written.

WM C. BOUCK,
THOS. B. CARROLL,
ALANSON COOK.

— [*Assem. Doc.*, 1850, No. 9, p. 48.

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§ 14. As fast as the several volumes of the Natural History of New York are published, the governor and secretary of State are hereby authorized and required to present and transmit one copy of the same with colored plates, including a geological map of the State, to James Wadsworth of Geneseo, one like copy to each of the governors of the several states of the Union, to be deposited by them at their discretion in some public library or literary institution within their respective states; one like copy to the library of Congress, and one hundred like copies to such foreign governments and foreign literary or scientific institutions as the governor and secretary aforesaid may select, including, in their discretion, such foreign governments, institutions, corporations

Presentation copies of Natural History.

or persons as may have made donations to the State library. — [*Laws of* 1844, ch. 254, § 1.

Sale of copies to academies, etc., authorized.

§ 15. The secretary of State is hereby authorized and directed to sell such of the academies, public libraries and literary associations in this State which are incorporated, as shall make application therefor within six months from the passage of this act, a copy of the Natural History of this State, at the price of one dollar per volume, and a copy of the geological map of the State at the price of one dollar per copy, and three hundred copies of the said volumes and map shall be reserved for that purpose. [*Idem*, § 2.

General sale authorized.

§ 16. The governor and secretary of State are authorized to make a distribution of the remaining copies and map of the Natural History, not otherwise appropriated or disposed of, among the several counties of this State, according to the ratio of population by the last census, and transmit to the county treasurer of said counties respectively, the numbers of copies to which each county shall be entitled by such distribution: the said treasurer of each of said counties shall cause the same to be sold at the price or sum [of] one dollar per volume, and the map for one dollar per copy, and account from time to time to the secretary of State for the proceeds of the sale thereof, but he shall not sell more than one copy to any corporation, association or individual. — [*Idem*, § 3.

Sale to academies, etc., authorized.

§ 17. The secretary of State is hereby authorized and directed to sell to such of the academies, public libraries and literary associations in this State which are now incorpo-

rated, as shall have made or which shall make application therefor, a copy of the Natural History of this State, at the price of one dollar per volume, and a copy of the geological map of the State at the price of one dollar per copy, out of the remaining three hundred of the said volumes and maps reserved for that purpose by the second section of the act entitled "An act in relation to the Natural History of New York," passed May 3, 1844; but no sale of the said volumes and map shall be made by the said secretary of State after the expiration of one year from the passage of this act, nor a second copy to an institution which has received a copy of the said work under the provisions of chapter 254, of the Laws of 1844. — [*Laws of* 1846, ch. 132, § 1.

Restriction.

§ 18. Any person, corporation, or association other than such as purchase from the several county treasurers of this State, under the act entitled "An act in relation to the Natural History of New York," passed May 3, 1844, who shall, within one year from the passage of this act, prove to the satisfaction of the governor and secretary of State that he, she or they, are the actual and *bona fide* owners of the first volumes or of any of the consecutive volumes, beginning with and including the first of the Natural History of this State, shall be entitled to purchase from said secretary the remaining volumes necessary to complete such imperfect sets of said Natural History, now published and which shall hereafter be published, together with the map accompanying the same, at the price of one dollar per vol-

Completion of sets authorized.

ume and one dollar for said map; but no person who shall become such owner of the said first volume or of any of said consecutive volumes, beginning with and including the first as aforesaid, under the fifth section of the act entitled "An act relating to the geological survey of the State," passed April 9th, 1842, shall be entitled to such remaining volumes, except upon payment of one dollar per volume for all such previous volumes of which he shall have become the owner as aforesaid. — [*Idem*, § 2.

Restriction.

§ 19. If the booksellers with whom contracts for the sale of the said work were heretofore entered into, shall deliver to the secretary of State unsold copies thereof forming complete sets of the same, as far as published, the said governor and secretary are hereby authorized to sell and dispose of such complete sets with the volumes remaining to be published and the said maps, at the price of one dollar per volume and one dollar for said map. — [*Idem*, § 3.

Unsold copies.

§ 20. The governor and secretary of State are hereby authorized to sell the copyright of said work in separate portions or otherwise as soon as the remaining volumes thereof shall be published. — [*Idem*, § 4.

Sale of copyright authorized.

§ 21. It shall be the duty of the several county treasurers of this State, in selling the volumes of the Natural History of New York, in pursuance of the act entitled "An act in relation to the Natural History of New York," passed May 3d, 1844, to sell and deliver the volumes of said Natural History, first to

Parties entitled to be first supplied.

any such person or association as shall within six months after such treasurer shall have received hereafter the several volumes of said Natural History, prove to the satisfaction of said treasurer, that he, she or they, are the present *bona fide* owners of the preceding volumes of said Natural History, sold under the act of May 3d, 1844, by the treasurer of the same county to whom application shall be made. — [*Idem*, § 5.

Provisions continued.

§ 22. The provisions of the first and second sections of the act entitled "An act concerning the Natural History of the state of New York," passed May 5, 1846, are hereby continued, and shall be in force for the term of one year from the passage of this act; and the secretary of State is hereby authorized and directed to sell to such of the institutions named in the first section of the above mentioned act which now are or hereafter may be incorporated during the continuance of this act, copies of the Natural History of this State, upon the conditions and subject to the restrictions therein contained. — [*Laws of* 1847, ch. 190, § 1; renewed for two years, by ch. 266, 1849.

Provision as to agriculture and palæontology.

§ 23. The governor is hereby authorized to cause to be completed, and for that purpose to continue in employment the geologists now engaged upon that portion of the Natural History of this State, relating to agriculture and to palæontology, for the period of two years from the time when their salaries ceased under an arrangement with Governor Wright, and for no longer period or

term than above mentioned, and at the same salary as has been hitherto paid them. — [*Laws of* 1847, ch. 212, § 1.

§ 24. The governor is also authorized to contract for all the work connected with the completion of the above mentioned works, such as drawing, engraving, coloring and all other necessary work connected therewith, to be done in such manner as he shall direct. — [*Idem*, § 2.

Contracts authorized.

§ 25. The secretary of State is hereby authorized and directed to take charge of all the matters appertaining to the prosecution and publication of the geological survey of the State. — [*Laws of* 1850, ch. 360, § 1. See also ch. 274, p. 592, which includes the secretary of the Regents.

Supervision.

§ 26. It shall be the duty of the secretary of State and the secretary of the regents of the university, to examine into and report to the next legislature, upon all claims that may be made upon the State, for work done on account of the geological survey, and upon all contracts that may exist between the State and individuals for work yet to be done on account of the survey. — [*Idem*, § 2.

Examination ordered.

§ 27. It shall be the duty of the secretary of State and of the secretary of the regents of the university, to report to the next legislature a plan for the final completion of the said survey, and to submit the estimates of the cost of such completion. — [*Idem*, § 3.

Report to be made.

§ 28. Memorandum of an agreement, made and entered into between the State of New York, of the first

Contract for engraving.

part, and Richard H. Pease, of the city of Albany, of the second part, the twenty-seventh day of July, one thousand eight hundred and forty-seven: Witnesseth, That it is hereby covenanted and agreed by and between the parties, aforesaid, that the said Pease shall and may do, perform and execute all the lithographic engravings of the drawings which are to be done on stone, requisite and designed for completing the publication of the Natural History of the State of New York, under, and in pursuance of the act of the Legislature, passed May 7, 1847, for that purpose, and also fifty plates of the steel engravings of the said work, twenty-five of which said steel plates are to be from drawings illustrating that part of said work in charge of Prof. Emmons, and the remaining twenty-five from drawings illustrating that part of said work in charge of Prof. Hall; and also all the printing and letterings of the said engravings, above agreed to be given to, and done, by said Pease.

And it is further agreed, as aforesaid, that the paper for said engravings shall be equal in quality to that now in use for the illustrations of said work. And that the engraving should be as good as the specimens exhibited to the governor, which said specimens are marked and signed "John Young," "E. Emmons," and "James Hall." That the work, when done, shall be delivered to the geologists, at the State geological rooms, and the steel plates shall be delivered with the work, and become the property of the party of the first part. And it is declared, agreed

and covenanted by, and in behalf of the said party of the first part, that the amount of lithographic engravings which said Pease shall have, and be entitled to, under this contract, shall be equal to one hundred plates, averaging twenty figures each plate, and that the amount of steel engravings to be by him done, as aforesaid, shall equal fifty plates, averaging the same number of figures, per plate, as aforesaid.

And it is further agreed, that the following prices shall be paid to said Pease, for work done by him under this contract, viz.:

For the lithographic engravings, $3 per figure, and the same price for the steel engravings. For printing the same, $1.50 per hundred. For lettering the same, $3.50 per plate, and for the paper 25 cents per pound. No work to be paid for until delivered, as aforesaid, and inspected by the geologists, or one of them.

In witness whereof, and in pursuance of the power given to him by the second section of the act aforesaid, in behalf of the State, John Young, governor of said State, hath hereto set his hand, and the said Richard H. Pease, also, the day and year first above written.

(Signed,) JOHN YOUNG,
RICHARD H. PEASE.

— [*Assem. Doc.*, 1850, No. 9, p. 54.

§ 29. The secretary of State is hereby authorized and required to transmit to the president of the United States a copy of the Natural History of the State of New York, to be depos-

Presentation copy.

ited by him, for preservation, in the library of the executive mansion. — [*Laws of* 1851, ch. 396.

§ 30. The provisions of the first and second sections of the act entitled "An act concerning the Natural History of the State of New York," passed May fifth, eighteen hundred and forty-six, are hereby continued, and shall be in force for the term of two years from the passage of this act, and the secretary of State is hereby authorized and directed to sell, to such of the institutions named in the first section of the above mentioned act which now are incorporated during the continuance of this act, copies of the Natural History of this State upon the conditions, and subject to the restrictions therein contained. — [*Laws of* 1852, ch. 366, § 1.

Sales authorized.

§ 31. The provisions of the act entitled "An act concerning the Natural History of the State of New York," passed May fifth, eighteen hundred and forty-six, shall extend and be in force for the term of two years from the passage of this act, for the benefit of all academies already incorporated since the sixteenth day of April, eighteen hundred and fifty-two, or which shall be incorporated within two years from the passage of this act, provided the supply shall have not been exhausted. — [*Laws of* 1854, ch. 80, § 1.

Provision for academies.

§ 32. The provisions of the first sections of the act entitled "An act concerning the Natural History of the State of New York," passed May fifth, eighteen hundred and forty-six, are hereby continued and shall be in force

Further sales to academies, etc., authorized.

for the term of two years from the passage of this act; and the secretary of State is hereby authorized and directed to sell to such of the institutions named in the first section of the above mentioned act, which now are or shall be incorporated during the continuance of this act, copies of the Natural History of this State (reserving three for the secretary's office), upon the conditions and subject to the restrictions therein contained. — [*Laws of* 1855, ch. 91, § 1.

County treasurers to make returns.

§ 33. It shall be the duty of the several county treasurers of this State to return to the office of secretary of State, all such volumes of the Natural History of New York as remain unsold after one year from the time said volumes were delivered to the said county treasurer, and at that time also to account for all moneys received by them from the sale of the said work. — [*Idem*, § 2.

Supervision.

§ 34. The sum of five thousand dollars is hereby appropriated for the payment of any expenses growing out of the Natural History of this State, to be paid only on the certificate of the secretary of State, and the secretary of the board of regents, who are hereby authorized and directed to take charge of all the matters appertaining to the compilation and completion of such Natural History, with power to make such contracts, limiting the number of volumes, fixing the compensation and otherwise, as they may think proper. — [*Laws of* 1855, ch. 539, p. 1015).

§ 35. *Resolved*, That the secretary of State be authorized to deliver to the Regents of the University as many

Copies for exchanges. copies of such parts of the Natural History of this State, not exceeding twenty-five, as he may believe will not interfere with the claims of those who have already become possessors of parts of the work, under the provisions of law, the same to be used in foreign literary exchanges by the Regents for the benefit of the State.—[*Concurrent Resolution,* April 15, 1857, *Session Laws,* p. 798.

§ 36. The volumes of the Natural History of the State hereafter to be published, shall, when sold, be New price established. disposed of at not less than five dollars each, instead of the price now fixed by law; provided, always, that all colleges, academies, scientific institutions and library associations, which own the volumes already published, or the greater part of them, shall have the right to complete their sets on the terms heretofore established for that purpose.* —[*Laws of* 1859, ch. 395, § 3.

§ 37. The sum of five thousand dollars is hereby appropriated, to be paid on the certificate of the secre- Supervision. tary of State and the secretary of the board of regents, for any deficiencies growing out of contracts heretofore made by these officers, or expenses otherwise incurred in the preparation of the Natural History of the State; and they shall have control of all matters concerning the same, with power to continue in force any existing contracts or to make such others as shall hasten the completion of the work; and they may likewise have power to publish, in abridged or epitomised form, any portions

* Amended by ch. 163 of Laws of 1877, which see.

of said work, if in their judgment it may be for the public advantage. — [*Laws of* 1868, ch. 717, p. 1611.

§ 38. Memorandum of agreement made and entered into this 5th day of October, A. D. 1871, between the People of the State of New York, by Homer A. Nelson, Secretary of State, and Samuel B. Woolworth, Secretary of the Board of Regents, pursuant to chapter 717 of the Laws of 1868, and Charles Van Benthuysen, of Albany, assignee of two certain contracts hereinafter more particularly specified.

Amended contract.

Witnesseth : That owing to the enhanced cost of labor and materials since their having been entered into the contract made on the 4th day of April, 1843, between the People of the State of New York by William C. Bouck, Governor, and Carroll & Cook, for the printing and binding of the Natural History of the State of New York, and the contract made on the 27th day of July, 1847, between the State of New York, by John Young, Governor, and Richard H. Pease, for engraving on stone and steel, and the printing and lettering of the said engravings, are each modified in the provisions therein contained, specifying prices, by an increase of fifty per cent in the several amounts therein agreed to be paid, and it is hereby covenanted and agreed that the said Charles Van Benthuysen shall be paid from the treasury of the State of New York, for all work to be performed in publishing the Natural History, commencing with volume five, Palæontology, fifty per cent in addition to the prices specified and established in and by the two several contracts hereinbefore described,

except the price for letter-press work, which shall remain and continue as stated in the original contract.

In witness whereof the parties have hereunto subscribed their names and affixed their seals the day and year first above written.

H. A. NELSON, [L. S.]
Secretary of State.

S. B. WOOLWORTH, [L. S.]
Secretary of Regents.

CHAS. VAN BENTHUYSEN. [L. S.]

— [*Assem. Doc.*, 1879, No. 79, p. 10.

§ 39. The volumes of the Natural History of the State, hereafter to be published, shall, when sold, be disposed of at not less than two dollars and fifty cents each, instead of the price now fixed by law; provided, always, that all colleges, academies, scientific institutions, and library associations, which own the volumes already published, or the greater part of them, shall have the right to complete their sets on the terms heretofore established for that purpose. And the conditions applicable to colleges, academies and scientific institutions, shall be extended to the author of said volumes of Natural History, who shall have the privilege of purchasing such copies, not exceeding one hundred in number, of any and every volume, as he may need for completing any sets in his possession, and for presentation to scientific correspondents and societies. —

Price changed.

Privilege extended to author.

[*Laws of* 1877, ch. 163, § 1.

§ 40. The secretary of State is hereby authorized and required to transmit to the commissioner of patents of the United States, a copy of the Natural History of the State of New York, to be deposited by him for preservation in the patent office; also a copy of the same work to the trustees of the Smithsonian Institute, to be placed in its library; also a copy of the said work to the New-York Historical Society.—[*Laws of* 1848, ch. 372.

The following is a list of the volumes of Natural History issued by the State of New York, for sale by subscribers, through the office of the Secretary of State, or County Treasurers, under chapters 149, Laws of 1842; 254, 1844; 395, 1859; and 163, 1877; with dates of publication. (The figures in brackets indicate the order of publication.)

ZOOLOGY.

PART (or DIVISION) ONE: BY JAMES E. DEKAY.

[1] Part I. Historical Introduction to the series, by Governor SEWARD, and Mammalia, Text and Plates, 1842.

[10] Part II. Birds, Text and Plates, 1844.

[6] Part III. Reptiles and Amphibia, Text, 1842.

[5] Part IV. Reptiles and Amphibia, Plates, 1842.

[9] Parts V and VI (bound in one volume). V, Mollusca, Text. VI, Crustacea, Text and Plates, 1843 and 1844.

BOTANY.

PART (or DIVISION) TWO: BY JOHN TORREY, M. D. F. L. S.

[11] Vol. I. Text and Plates, 1843.

[12] Vol. II. Text and Plates, 1843.

MINERALOGY.

PART (or DIVISION) THREE: BY LEWIS C. BECK, M. D.

[3] In one volume. Text and Plates. Part I, Economic Mineralogy; Part II, Descriptive Mineralogy, 1842.

GEOLOGY.

PART (or DIVISION) FOUR: BY PROFESSORS MATHER, EMMONS, VANUXEM AND HALL.

[7] Part I. First Geological District, WM. W. MATHER, Text and Plates, 1843.

[4] Part II. Second Geological District, EBENEZER EMMONS, M. D., Text and Plates, 1842.

[2] Part III. Third Geological District, LARDNER VANUXEM, Text, 1842.

[8] Part IV. Fourth Geological District, JAMES HALL, Text and Plates, 1843.

AGRICULTURE.

PART (or DIVISION) FIVE: BY EBENEZER EMMONS, M. D.

[13] Vol. I. Classification, etc., of Soils and Rocks, Text and Plates, 1846.

[15] Vol. II. Analysis of Soils, Plants, Cereals, etc., Text and Plates, 1849.

[16] Vol. III. Fruits, Text, 1851.

[17] Vol. IV. (III on title page), Fruits, Plates, 1851.

[19] Vol. V. Insects injurious to Agriculture, Text and Plates, 1854.

PALAEONTOLOGY.

PART (or DIVISION) SIX: BY JAMES HALL.

[14] Vol. I. Organic Remains of lower division of New York System, Text and Plates, 1847.

[18] Vol. II. Organic Remains of lower middle division, Text and Plates, 1852.

[20] Vol. III. In two parts, Text and Plates.
Part I. Text. Organic Remains of lower Helderberg Group and Oriskany Sandstone, 1859.
Part II. Plates, 1861.
(Both parts delivered to Secretary of State as one volume, in 1862.)

[21] Vol. IV. Fossil Brachiopoda of Upper Helderberg, Hamilton, Portage and Chemung Groups, etc., Text and Plates. (Imprint of title page 1867, but delivered to Secretary of State in 1870.)

Vol. V. Part I. (Not yet issued.)

[22] Vol. V. Part II. Gasteropoda, Pteropoda and Cephalopoda of Upper Helderberg, Hamilton, Portage and Chemung Groups, Text and Plates (in separate bindings), 1879.

NOTE.—Copies of [20], [21] and [22], only, now remain on sale at the office of the Secretary of State, at the rate prescribed in chapter 163, Laws of 1877, ($2.50).

The following is a list of governments, institutions and persons to whom the Natural History of New York has been presented, under the provisions of chapter 254, § 1, of the Laws of 1844; ch. 372, 1848; ch. 396, § 1, 1851:

In Great Britain and its Dependencies.

Queen of England.
Library of the House of Lords.
Library of the House of Commons.

British Museum.
Royal Society of London.
Geological Society of London.
Zoölogical Society of London.
Royal Agricultural College of Great Britain.*
Manchester Free Library.
Royal Society of Edinburgh.
University of Glasgow.
Library of the Faculty of Advocates, Edinburgh.
Royal Irish Academy, Dublin.
Asiatic Society, Calcutta.
Provincial Parliament of Canada. (Two sets; one having been destroyed by fire.)
Government of Nova Scotia.
Library of the Seminary of Quebec.
Library of Trinity College, Toronto.
Library of McGill College, Montreal.*

In France (and Algeria).

King (or Emperor) of the French.
Library of the Chamber of Peers.
Library of the Chamber of Deputies.

*By request of the Regents.

Royal Library of Paris.
National Institute of France.
National Museum of Natural History.
Geological Society of France.
Entomological Society of Paris.
Minister of Justice.
Minister of Public Instruction.
Minister of Finance.
Minister of Agriculture and Commerce.
Minister of Marine and Colonies.
Minister of War.
Minister of the Interior.
Minister of Public Works.
City of Bordeaux.
City of Marseilles.
City of Rouen.
City of Metz.
City of Algiers.
Alexandre Vattemare.
Antoine Passy.
Milne Edwards.
Prince Charles Bonaparte.

In other Countries of Europe and Asia.

Emperor of Austria.
King of Bavaria.
National Library of Munich, Bavaria.
King of Belgium.
Royal Academy of Brussels.
King of Prussia.
University of Berlin.
University of Gottingen.
Emperor of Russia.
Imperial Academy of Sciences, St. Petersburgh.

Library of the Imperial Botanic Garden, St. Petersburgh.
Queen of Spain. (Two sets; one having been lost by shipwreck.)
Spanish Government.
Queen of Portugal.
The Pope.
King of the two Sicilies.
King of Denmark.
King of Sweden.
King of Saxony.
King of Sardinia.
Sultan of Turkey.
King of the Netherlands.
Royal Netherlands Institute, Amsterdam.
Government of the Netherlands.
King of Greece.
Diet of Switzerland.
Societe Helvetique des Sciences Naturelles de Geneve.
Societe des Sciences, Naturelles de Neuchatel.
Grand Duke of Tuscany.
Grand Duke of Baden.
Library of St. Mark's, Venice.
Jesuits' College of Rome.
Louis Kossuth.
Emperor of China.
Emperor of Japan.

In other Foreign Countries.

Government of Mexico.
Emperor of Brazil.
Historical and Geographical Institute of Brazil.
Royal Museum of Rio de Janeiro.
Library of the Province of Maranham, Brazil.

Republic of Chili.
College of San Carlos, Chili.
Republic of New Grenada.
Hawaiian Government.

In the United States.

President of the United States.
Library of Congress.
U. S. Commissioner of Patents.
Smithsonian Institution, Washington.
New York Historical Society.
U. S. Military Academy, West Point.*
James Wadsworth, Genesco.
Charles T. Jackson, M. D., Boston.*
Lewis H. Morgan, Rochester.*
Library of the Territory of Washington.

Total (including two duplicates), 100 sets.

Under the provision made by the act of 1844, for the several States of the Union, a set of the Natural History has been sent to each State east of the Mississippi river (26), and to Arkansas, Missouri, Iowa, Texas, California; in all, 31 States.

*By request of the Regents.

CHAPTER X.

RELATIVE TO CERTAIN LOCAL LAW LIBRARIES FOUNDED BY THE STATE.

Court of Appeals' Libraries.

Library of the court of appeals.

SEC. 1. The public library called the "Chancellor's Library" shall continue to be a public library, under the name of "The Library of the Court of Appeals," and the judges of that court shall, by an order entered in their minutes, direct the location of the same at some place west of the seat of government;* and, on suitable and convenient rooms and accommodations being provided in such place, the said judges shall direct the clerk of that court to remove the said library to that place. But, before such removal, the regents of the university may, in their discretion, take from said library, and deposit in the state library at Albany, books of which copies are not now in said state library.—[*Laws of* 1849, ch. 300, § 1.

Duplicate copies how to be disposed of.

§ 2. Such books in the said library as are duplicates or copies of other books therein, and such others as the said judges shall think proper, shall, under the like direction, be located at

* Under sections 1, 2, of this act, two libraries of the Court of Appeals were established, in 1849, one at Syracuse and the other at Rochester. [*Court of Appeals' Rough Minutes, vol.* 1, *page* 193; *Regents' Minutes, vol.* 5, *page* 349.]

any other place west of the seat of government, which the said judges shall designate; and, on suitable and convenient rooms and accommodations being provided, such books shall, in like manner, be removed to that place, and, on being so removed, those books, and such others as shall be added thereto, shall constitute another public library, and shall be the property of the state.—[*Idem*, § 2.

Librarian to be appointed.

§ 3. The regents of the university shall appoint a suitable person to be librarian of the library of the court of appeals, and shall designate the compensation to be paid to him, and they shall also appoint a suitable person for librarian of any other library which may be established under the preceding section, and designate his compensation. —[*Idem*, § 3.

The law libraries of late supreme court, etc., how to be used.

§ 4. The three law libraries of the judges of the late supreme court, and the library of the late vice-chancellor of the second circuit, are hereby declared to be for the use of the four judges of the court of appeals elected by the people of the state at large and their successors in office, and the clerk of that court shall cause to be made any removal of books necessary to carry this section into effect, and for the purpose of enlarging the library of the late vice-chancellor of the second circuit, and equalizing and enlarging the four libraries in this section mentioned, a portion of the interest fund upon moneys temporarily deposited in the office of the clerk in chancery for said second circuit not

exceeding three thousand dollars may be applied under the direction of the said judges. — [*Idem*, § 4.

Clerk of the court of appeals to keep certain moneys invested.

§ 5. The clerk of the court of appeals shall keep invested in his name of office in such manner as that court shall direct, a certain fund accumulated by the way of interest upon moneys temporarily deposited in the court of chancery, known as the chancellor's library fund and interest fund, together with the residue of the interest fund from the second circuit mentioned in the preceding section; and the income of such fund for the year last past, and the future income thereof, until otherwise provided by law, may be expended under the direction of the judges of the court of appeals as follows: The expenses of carrying this act into effect shall be paid therefrom, and also the compensation of any librarian or librarians to be appointed under this act; a portion of said income not exceeding one-fourth part thereof may be expended in enlarging and improving the four libraries for the use of the judges mentioned in the last preceding section, and the residue shall be expended in enlarging and improving the public libraries in the first two sections of this act mentioned. Nothing in this act contained shall bring a charge upon the treasury of the state. — [*Idem*, § 5.

Rules to be framed by reg'ts

§ 6. The regents of the university shall frame and establish suitable rules and regulations* for the use of the books in the public libraries

* see page 100.

mentioned in this act, and shall add to and amend the same as shall be necessary.—[*Idem*, § 6.]

Law Library of the First Judicial District.

§ 7. There shall be a law library located in the city of New York, which shall be known as the New York law library; and the said library shall be under the care and management of the justices of the supreme court of the first judicial district, who shall be the trustees thereof. The trustees of the state library are hereby authorized to place in the library hereby founded, any duplicate of books in their possession which they may deem proper.—[*Laws of* 1865, ch. 722, §§ 1, 2, 3.

New York law libr'y.

Regents authorized to place duplicate books therein.

Law Library of the Second Judicial District.

§ 8. There shall be a law library located at the city of Brooklyn, which shall be known as the law library of the second judicial district. The said library shall be under the care and management of the trustees of the law library of the city of Brooklyn, subject, however, to such orders, rules and regulations touching the same, as may be made from time to time by a majority of the justices of the supreme court residing in said district. The trustees thereof shall yearly make a report to the regents of the university of the additions made to said library during the preceding year.—[*Laws of* 1863, ch. 463, §§ 1, 2.

Law library of second judicial district.

Shall report yearly to regents.

Law Libraries of the Third Judicial District.

Chapter 323 of the Laws of 1874, provides for the

establishment of a judicial district library for the third judicial district, to be located at Kingston, Ulster county.

The State Library is located in this district.

Law Library of the Fourth Judicial District.

§ 9. There shall be a law library for the fourth judicial district located at such place as a majority of the justices of said district shall appoint, which shall be known as the law library of the fourth judicial district; and until the majority of said justices shall otherwise determine, it shall be located in the city of Schenectady. The justices of the supreme court of the fourth judicial district, for the time being, shall be ex officio trustees of the said law library, and the same shall be under the care and management of the said trustees.—[*Laws of* 1866, ch. 882, §§ 1, 2.

Law library of fourth judicial district.

§ 10. The trustees of said library shall report annually to the trustees of the state library the catalogue of books in the said library, and the state and condition thereof. The trustees of the state library are hereby authorized to place in the library hereby founded, any duplicates of books in their possession not needed in the state library. —[*Idem*, § 3.

Shall annually report to regents.

Regents authorized to place duplicate books therein.

Law Libraries of the Fifth Judicial District.

Chapter 193 of the Laws of 1875, provides for the establishment of a law library to be located

at Utica, Oneida county, for the use of the supreme court.

The Court of Appeals' Library at Syracuse is in this district.

Law Libraries of the Sixth Judicial District.

Chapter 230 of the Laws of 1859, provides for the establishment of a law library in the sixth judicial district, to be located at Binghamton, under the care of the justices of the said district and the supervisors of Broome county. The legislature has, from time to time, made appropriations for the benefit of such library, but has not required annual reports of its condition to be made, other than to the supervisors aforesaid.

Chapter 193 of Laws of 1875, provides for the establishment of a law library, to be located at Delhi, Delaware county, for the use of the supreme court.

Law Library of the Seventh Judicial District.

The Court of Appeals' Library at Rochester is in this district.

Law Library of the Eighth Judicial District.

§ 11. There shall be a law library located at the city of Buffalo, which shall be known as the law library of the eighth judicial district. The said library shall be under the care and management of the trustees of the Grosvenor library, subject, however, to such orders, rules and regulations touching the same, as may be made

Law library of eighth judicial district.

from time to time by a majority of the justices of the supreme court residing in said district. The trustees thereof shall yearly make a report to the regents of the university of the state of said library.—[*Laws of* 1863, ch. 401, §§ 1, 2.

Shall report yearly to regents.

§ 12. The trustees of the state library are hereby authorized to place in the library hereby founded any duplicates of books in their possession which they may deem proper.—[*Idem*, § 3.]

Regents authorized to place duplicate books therein

Rules and Regulations established by the Regents, Sept. 20, 1849, *for the Libraries of the Court of Appeals at Syracuse and Rochester.*

1. It shall be the earliest duty of the Librarian to prepare a catalogue of the books in the Library, as delivered to him by the Clerk of the court, in alphabetical order, and in proper form for reference in the Library: a copy of the said catalogue shall without delay be forwarded to the Secretary of the Regents of the University, and another placed at the disposition of the Court of Appeals.

2. The Librarian shall also keep lists of all books subsequently added, and make annual returns of the same, on or about the fifteenth of December, to the Regents and the Court of Appeals, as aforesaid.

3. During the sessions of the Court of Appeals, the Supreme Court and the Circuit Court, at the city of Syracuse, the Library shall be kept open from 9 A. M. to 9 P. M., with the exception of two hours for meals, and which shall conform, as nearly as may be, to the hours of the adjournment of the respective courts.

4. At all other times, except Sundays and the usual holidays, the Library shall be open from 9 A. M. to 5 P. M.

5. It shall be the duty of the Librarian to keep the rooms in order, and to prevent injury to the books, and to allow none of them to be taken from the Library, except as next specified.

6. During the sessions of the courts named above, the books may be taken by the judges and members of the bar into court. The Librarian shall before delivery charge the person or persons so taking any of them in a book to be provided for that purpose, and all books so taken shall be returned on the same day. Any infraction of this rule should be reported to the court.

7. In case of the loss of or injury to any book or books, the value of the same should be estimated by the Librarian, and payment required from the person or persons who have occasioned such loss or injury: any refusal of payment as demanded should also be reported as above.

8. The Library shall be annually examined and compared with the certified copies of the catalogues above directed, by such person or persons as may from time to time be appointed, and who shall make reports of such examinations to the Regents and the Court of Appeals.

9. The object of the Regents in making these brief rules and regulations, is to preserve the collection of books, and to render the Library equally available to all who are desirous of consulting it. They therefore rely on the cheerful assent and concurrence of the Bar.

10. Should any additional regulations be considered necessary, the Regents trust that the Judges of the Court of Appeals, or any gentleman feeling an interest in the subject, will favor them with the necessary suggestions.

A copy of these rules and regulations shall be placed in some conspicuous part of the Library.—[*Regents' Minutes* (*MS.*), v, 351.

CHAPTER XI.

IN REGARD TO CERTAIN PUBLIC PAPERS AND RECORDS.

Ms. papers placed in charge of regents.

SEC. 1. The manuscript or printed papers of the legislature, usually termed "on file," and which have been on file for a longer period than five years, in the custody of the clerks of the senate and assembly, and all other public records of the state, not in the custody of some public officer, shall hereafter be placed in charge of the regents of the university.—[*Laws of* 1859, ch. 321, § 1.]

No papers removed from state officers.

§ 2. This act shall not be construed to cause the removal of the documents on record in the office of the secretary of state or in the custody of either of the state officers.—[*Idem*, § 2.]

Duty of trustees of capitol.

§ 3. It shall be the duty of the trustees of the capitol to assign and suitably arrange the room formerly in the use of the judges of the court of appeals, and any other rooms which may be needed and can be spared for the purposes of this act. —[*Idem*, § 3.]

Regents to have sole charge.

§ 4. The regents of the university shall have the sole charge and custody of the records and papers mentioned in the first section of this act, and no paper shall be removed from the files in

their custody, or in the charge of the clerks of either house, except on a resolution of the senate and assembly; withdrawing the same for a temporary purpose, and in case of such removal, a description of the paper, and the name of the officer or person receiving the same shall be entered in a book to be provided for the purpose, with the date of its delivery and return. Nothing contained in this act shall be construed to prevent the clerk of the senate or assembly, or a deputy appointed by either of them for that purpose, from having access to any papers of the senate or assembly respectively, for the purpose of taking copies of the same, as hereinafter provided. — [*Idem*, § 4.

Duty of regent and clerks of both houses.

§ 5. It shall be the duty of the regents of the university, and of the clerks of the senate and assembly respectively, to cause all papers in their charge to be so classified and arranged that they can be easily found. — [*Idem*, § 5.

Certified copies of papers.

§ 6. No paper shall be withdrawn from the files of the senate or assembly except temporarily, as is provided for in section four of this act, whether the same is in the charge of the regents, or of the clerks of either house, but every person applying therefor to the clerk of the senate or assembly shall be entitled to receive a certified copy of any petition, memorial, remonstrance, resolution, affidavit, report or other paper of any kind on said files upon payment to said clerk for such copy and certificate, for his own use, the same fees which are by law charged by the secretary of state for en-

Fees.

grossing and certifying exemplifications of records deposited in his office. A copy of any paper on the files of the senate, certified by the clerk of the senate, with his seal of office attached, or a copy of any paper on the files of the assembly, certified by the clerk of the assembly, with his seal of office attached, may be read and shall be received in evidence in any of the courts of this state, or before the canal commissioners, the canal appraisers, or before any state officer or other authority in like manner, and with the same effect as if the original was produced. The clerks of the senate and assembly respectively shall forthwith procure a suitable seal and press for the purposes of this act, and shall each deposit a certified copy of such seal in the office of the secretary of state.—[*Idem*, § 6.]

Copies to be evidence, etc.

§ 7. It shall be the duty of the joint library committee of the legislature, annually, to examine and report to the legislature, the condition of the public records in the custody either of the clerks of the senate or assembly, of the regents, of the secretary of state, and all other state officers in the city of Albany, and particularly whether section five of this act is faithfully observed; and the regents of the university shall report to the legislature, at the commencement of every session, a list of all papers taken from their custody in accordance with section four of this act which have not been returned, with the date of their withdrawal, and the name of the officer receiving the same.—[*Idem*, § 7.]

Duty of joint library committee.

PART II.

ORDINANCES OF THE REGENTS.

CHAPTER XII.

INCORPORATION OF COLLEGES.

SEC. 1. When any application is or shall be made to the regents for the incorporation of a college under the 6th section of the act of the legislature, passed the 5th day of April, 1813, entitled "An act relating to the University" (or *chap.* 184 *of the laws of* 1853, entitled "An act relative to the incorporation of colleges and academies"), the applicants will be required to satisfy the regents that suitable buildings for the use of the college will be provided, and that funds to the amount of *one hundred thousand dollars*, with which it is intended to found and provide for such college, have been paid or secured to be paid by valid subscriptions of responsible parties or otherwise.

§ 2. And in case the regents shall approve of said application, and the amount aforesaid shall not be invested for the use of said college, either in bonds and mortgages on unincumbered lands within this state, worth at least double the amount so secured therein, or in stocks of this state or the United States, at their market value at the time of the investment, or in the bonds or certificates of stocks legally issued

by some incorporated city of this state, at the par value, or in any one or more of the securities above enumerated, a charter shall be granted for the incorporation of such college, for a term of five years, with a condition or proviso therein, that if within the said term of five years, the trustees of said college shall present to the regents satisfactory evidence that they have invested for the use of said college, funds amounting to not less than one hundred thousand dollars, in the manner herein before mentioned, the charter shall be perpetual.—[*Ordinance of Jan. 9, 1851.*]

CHAPTER XIII.

INCORPORATION OF ACADEMIES.

[Academies are incorporated: 1. With absolute charters. 2. With provisional charters founded on endowments by donation. 3. With provisional charters founded on joint stock. The requirements for an absolute charter are an academy lot and building of the value of at least two thousand dollars. A library of the value of at least one hundred and fifty dollars. A philosophical apparatus of the value of at least one hundred and fifty dollars. The requirements for a provisional charter are a good and valid subscription to the amount of at least two thousand and five hundred dollars. A provisional charter will be declared absolute whenever it shall appear that a suitable building has been erected and a philosophical apparatus and library have been procured, and a school properly organized.]

SEC. 1. No academy will be received under the visitation of the regents, so as to entitle it to share in the distribution of the funds granted to academies, unless it appears that the academy lot and buildings, and the library and philosophical apparatus which it may own, have been fully paid for; or unless it appears that such lot and buildings, library and apparatus, are of the value of five thousand dollars or

upwards, and that the debts of such academy do not exceed one-third of the amount of the value thereof; and in such case it may be so received, but only on condition that it shall annually thereafter pay the interest of such debt, and at least five per cent of the principal thereof, until such debt be wholly paid and extinguished; and that on the omission of any such annual payment of interest and principal, or any part thereof, it shall, during such omission, cease to have any claim to share in the distribution of such funds. Nor will the regents incorporate any academy unless it appears that the academy lot and buildings, and the library and philosophical apparatus have been fully paid for, unless the value of such lot, buildings, library and philosophical apparatus shall be five thousand dollars or upwards, and the amount of the debts of such academy shall not exceed one-third of such value; and in any such case the charter will be granted only on the condition that the interest upon, and at least five per cent of the principal of its debts, shall be paid annually until the whole debt be paid and extinguished; and that any omission to make any such annual payment of interest and principal shall, in the discretion of the regents, bar it of all right to participate in the distribution of said fund. All academies heretofore provisionally chartered upon condition that they should not be entitled to share in the distribution of the fund granted to academies until their debts should be fully paid, upon due proof bringing them within these provisions, may have the

full benefit thereof, in the same manner, and to the same extent, as though their charters were upon the conditions hereinbefore prescribed, and their charters shall be taken, and are hereby declared to be amended accordingly.—[*Ordinance of Jan.* 15, 1857.]

§ 2. Every application to the regents of the university for an absolute charter for the incorporation of an academy founded on the endowment of property already possessed by the applicants, and every application of an academy, incorporated by the legislature, to become subject to the visitation of the regents, shall set forth, with all practicable precision, and in such form as is or shall be prescribed by the regents, a particular statement showing —

1st. The extent, general description, title and value of the ground on which the academy edifice is erected, or which is used for its accomodation at the time of making such application.

2d. The dimensions, general description, and value of the buildings erected on such ground for the use or accommodation of such academy, at the time last aforesaid.

3d. An inventory or catalogue of all the books and articles of philosophical or other apparatus belonging to such academy, with a just and fair estimate of their value, at the time last above referred to.

4th. A particular statement of all incumbrances on such academic property, or on any part thereof, at the time last above mentioned — it being the intention

of the regents to require every academy subject to their visitation, to own and possess such property to the value of at least two thousand five hundred dollars, over and above all incumbrances thereon, as a condition on which such academy will be allowed to receive a distributive share of the moneys belonging to the literature fund.

§ 3. And to the end that the regents may be the better enabled to ascertain the true value of such academic grounds, buildings and apparatus, at the time of making such application, the said statements shall also set forth and show, when and how the title to such ground, library and apparatus was first acquired, and if acquired by purchase, what the original or first cost thereof was; and also, when such buildings were erected, enlarged or otherwise improved, of what materials they are constructed, with the original or first cost of such buildings or improvements; also the state or condition of such academic property, at the time of making such report or application, in respect to its repair or fitness for use; and if the same be not in good repair, wherein, and how long it has been out of repair, and the probable cost of putting it in good repair, together with such other matters as may be found to influence in any respect the value of such property. That it shall be the duty of the trustees of every such academy, previous to making their said application as required by this ordinance, to submit the evidences of their title to the ground occupied for their academic buildings, to some

person of the degree of counselor at law in the supreme court, for his examination and to obtain from him a certificate in writing, stating his examination of the title submitted to him, with his opinion as to the nature and validity of such title, and stating, also, that he has caused the ordinary searches to be made for incumbrances on such property, with the result of such searches; which said certificate shall be transmitted by the said trustees, together with their said application, to the said regents.—[1853, *Oct.* 20.]

§ 4. Any college, academy, or institution of learning, desirous of obtaining amendments to, or alterations in its charter, shall give notice of its intended application to the regents for the same at least six weeks successively, immediately before said application is presented, in a newspaper published at or near the city, town or village in which said college, academy or institution of learning may be situated, and in the state paper. Duly authenticated proof of said publication shall be filed with the regents of the university.—[1853, *June* 10.]

FORMS OF APPLICATION TO THE REGENTS OF THE UNIVERSITY FOR THE INCORPORATION OF AN ACADEMY.

I. For incorporation with an absolute charter when the ground has been procured, the buildings erected and library and apparatus provided.

To the Regents of the University of the State of New York:

The application of the subscribers, inhabitants of , in the county of ,
Respectfully represents:

That being desirous to found an academy at in the county of , they have, for that purpose (together with others, if the fact be so), procured a suitable lot, erected a suitable building thereon, and supplied it with a suitable library and apparatus, for the accommodation of such academy as will appear by the following description:

1. Ground for Academy Buildings.

The lot of ground on which the buildings of said academy stand, or which is to be used for its accommodation, consists of [here state the quantity, either in acres or parts of acres, or the number of feet in breadth and depth.] The lot of ground was purchased in the year , for $; or it was given to the academy in the year [as the case may be.] There were then no improvements on it [or if there were any, describe them; state the title to the ground, whether in perpetuity, or for a term of years, and if it be subject to a ground rent, state amount, etc. Give a general description of all improvements (except buildings) made on it. After giving all such and similar data on which estimates of value depend, state the present value of the ground, including fences, ornamental trees, and all other improvements, except buildings.]

2. Academy Buildings.

The buildings erected on the ground above described, and to be used for the accommodation of the academy, consist of [here describe the principal buildings, with their dimensions; state when and of

what materials they were originally built, or have been since enlarged or improved; give a general description of their internal divisions, fitness or convenience for use, etc., with a statement of the original or first cost of the buildings, and of all additions or improvements thereto, so far as the same can be ascertained. Then state their present condition as to their being in or out of repair, and if out of repair, what will be the probable cost of putting them in good repair. After giving all such and similar data on which estimates of value depend, state the present actual value of such buildings.]

3. Academy Library.

The following is a catalogue of all the books belonging to said proposed academy, with the original or first cost (so far as it can be ascertained), and the present value of each book. [Proceed with the catalogue in the following form]:

Titles or names of books arranged according to catalogue.	Number of volumes.	Original cost.	Present value.
		$	$
Total of each following column,....		$	$

Give a general description of the condition of the books in the library in respect to their being new or old, in good order or worn, etc.

4. Philosophical Apparatus.

The following is an inventory of all the articles of philosophical or other apparatus at the date of this application with the original or first cost (so far as can be ascertained), and the present value of each

article; [here proceed with the inventory, including in it, besides what is strictly and technically philosophical and chemical apparatus, all instruments used in, or illustrative of any of the arts or sciences, and any collection in geology and mineralogy, and in natural history.]

Description or name of each article.	Original cost.	Present value.
	$	$
Total of each following column,...	$	$

Give a general description of the condition of the apparatus in respect to its being new or old, in good order or injured, etc.

5. Title of Property, Incumbrances, etc.

The evidences of title to the property described in the preceding sections of this report, have been submitted to , of , who is a counselor at law in the supreme court, whose certificate in writing, as to the nature and validity of said title, accompanies this report.* The said property is free from all incumbrances [if such be the case, or if there be any incumbrances on it, state the general amount of them, and refer to certificate of said counsel for particulars, etc.]

6. Other Academic Property.

The property of the proposed academy, other than the academy lot, buildings, library and apparatus

* The certificate of counsel must state his examination of the title submitted to him, with his opinion as to the nature and validity of such title, and also, that he has caused the ordinary searches to be made for incumbrances on such property, with the result of such searches.

above described, consists of [here describe the property in the most general terms, such as the following]:

Bonds and mortgages, notes and subscriptions, considered good	$
Real estate, consisting of	
Total	$

7. Debts.

The debts contracted on account of the academy now asked to be incorporated, and which remain unpaid at the date of this application, amount to	$
Net value of property	$

8. Summary Statements.

The total value of all the academic property above described, is as follows:

Value of lot for academy buildings	$
Value of buildings thereon	
Value of library	
Value of philosophical apparatus	
Total value of lot, buildings, library and apparatus	$
Deduct for incumbrances and debts, if any, thereon	
Balance of value over and above all incumbrances and debts	$
Add for other academic property	
Total net value of property	$

And the said subscribers further represent, that they have contributed more than one-half in value of the property collected for the use of said academy, as herein before set forth; that they are desirous to have the said academy incorporated,* by the name of [here state the name, which it is desirable should be descriptive of the place where the academy is]; and to that end they hereby nominate, as the first trustees of said academy, [give christian names in full]:

The said subscribers do therefore hereby make application to the regents of the university for the incorporation of the persons above nominated as the first trustees of said academy by the name above specified. [Here follow the signatures of the subscribers, which must be in their own handwriting.]

AUTHENTICATION OF APPLICATION.

The preceding application was submitted to a meeting of the subscribers held by them on the day of , at which meeting the following named persons were present [state names], and having been read and approved, it was duly adopted as the application of said meeting, and ordered (after being verified by the oath of the chairman or presiding officer) to be transmitted to the regents of the university, pursuant to their ordinance in such case made and provided. All of which is hereby done in obedience to said order this day of .

(Signed) A. B.,
Chairman or Presiding Officer.

AFFIDAVIT ABOVE REFERRED TO.

STATE OF NEW YORK, }
County of } *ss.*:

A. B., being duly sworn (or affirmed, as the case

*If the charter is to be founded on capital stock, insert the words, "with a capital stock to be divided into shares, of dollars each."

may be), deposeth and saith, that he was the chairman or presiding officer of the meeting, held as above stated, of contributors to the proposed academy; that he is acquainted with the contents of said application, and that the statement of facts therein set forth is in all respects true to the best of his knowledge, information and belief.

(Signed) A. B.

Subscribed and sworn before me, this day of 18 .

FORM OF CHARTER GRANTED ON THE PRECEDING APPLICATION.

University of the State of New York.

By the Regents of the University of the State of New York:

Whereas, and others, by an instrument in writing under their hands, bearing date the day of in the year 18 , after stating that they had contributed more than one-half in value of the real and personal property and estate collected or appropriated for the use and benefit of the Academy erected at the of , in the county of , did make application to us the said Regents, in the form and manner required by law, and by the ordinances of us the said Regents in that behalf, that the said Academy might be incorporated by the name of , and that might be the first trustees of the said Academy, and it having been made to appear to our satisfaction, that the said academy is endowed with suitable academic buildings, library and philosophical apparatus of the value of at least two thousand five hundred dollars, and conceiving the said academy calculated for the promotion of literature, We the said Regents do, by these presents, pursuant to the Statute in such

case made and provided, signify our approbation of the incorporation of the trustees of the said academy, by the aforesaid name of , and that the same shall be subject to the visitation of us and of our successors, as provided by law. On Condition, however, that the said endowment shall never be diminished in value below two thousand five hundred dollars, and that the same shall never be applied to purposes other than for public academic instruction; subject also to the ordinance of us, the said Regents, as to the debts of Academies, passed January 15, 1857.

In Witness whereof, we, the said Regents, have caused our common seal to be hereunto affixed, and our Chancellor and Secretary to subscribe their names, this day
[L. S.] of , in the year one thousand eight hundred and .

——— ——— *Chancellor.*

———— ————, *Secretary.*

II. For a provisional incorporation, to facilitate the purchase of a site for an academy, and the erection of the necessary buildings, and for the organization of a proper course of instruction.

1. With a capital stock, pursuant to chapter 544 of laws of 1851, and chapter 184 of laws of 1853.

To the Regents of the University of the State of New York:

The petition of the undersigned, inhabitants of the , in county of ,

Respectfully represents:

That they are desirous to found an academy in the , in the county of , with a capital stock of dollars, to be divided into shares of dollars each, pursuant to the act chapter 544 of laws of 1851, and the act chapter 184 of the laws of 1853, and that subscriptions to the said capital

stock have been procured to the amount of dollars, as will appear by the list of said subscriptions, a copy whereof is hereto annexed, from which it also appears that your petitioners are the subscribers for more than one-half of the said amount. That at least ten per cent of the amount subscribed has been paid by or for each subscriber in cash, and is now held by your petitioners on their behalf, for the purposes of the incorporation herein prayed for. That all the said subscriptions are, as your petitioners believe, made in good faith and by parties who have the ability to pay the amount subscribed by them respectively. That your petitioners are desirous that the said academy may be incorporated by the name of , and that they do hereby nominate the following persons as the first trustees thereof [give christian names in full]:

The undersigned do therefore request the regents to incorporate the persons above nominated as the first trustees of the said academy by the name above mentioned. It being distinctly declared and understood by your petitioners, that the said incorporation is now asked for to facilitate the purchase of a site for the said academy and the erection of the necessary buildings therefor, and for the commencement and organization of a proper course of instruction therein; and that if a proper building for the purposes of the said academy shall not be provided and erected, and a suitable course of instruction be organized within two years from the granting of the charter prayed for, and a report of the same made by the said trustees or their successors to the said regents, containing all the particulars required in the case of an application for granting a charter to an academy already endowed with sufficient academic property, that then, at any time thereafter, the said charter, on a declara-

tion to that effect to be made by the said regents on their minutes, on evidence satisfactory to them, shall become and be absolutely void; and on the further understanding, that the said academy is not to be entitled to any part of the funds which may by law, from time to time, be distributed to or divided among the incorporated academies of the state, arising from the income of the literature fund or otherwise, until the said capital stock shall have been fully paid in, and until a suitable academy building shall have been erected or procured therefor, and a library and philosophical apparatus obtained of the character and value required by the ordinances of the regents.

The following is a copy of the subscription list above referred to:

[Here follow the signatures of subscribers in their own handwriting.]

AFFIDAVIT.

STATE OF NEW YORK, } *ss:*
County of , }

A, B, C (three at least), signers to the above application, being duly sworn (or affirmed, as the case may be), depose and say, that they are acquainted with the contents of the preceding application, that the statement of facts therein set forth is in all respects true, to the best of their knowledge, information and belief, that they believe the said subscription to be a valid one, and that the application is made in good faith for the purposes therein stated.

(Signed), A.
B.
C.

Subscribed and sworn before me, }
this day of , 18 . }

Form of Charter granted on the preceding Application.

University of the State of New York.

By the Regents of the University of the State of New York:

Whereas, and others, have in due form made application in writing, under their hands, to the said Regents, representing that they are desirous to found an Academy in the , in the county of , with a capital stock of dollars, to be divided into shares of dollars each, as authorized by law, and that they, the said applicants, are the subscribers for more than half the said amount, and requesting that the said Academy may be incorporated by the name of , and nominating the following persons as first Trustees thereof: . And the said Regents having considered the said application, do hereby, pursuant to the authority vested in them by law, declare their approbation of the incorporation of the persons in that behalf above named as trustees of the said Academy, by the aforesaid name of , and do hereby incorporate the said Academy accordingly, with the capital stock above mentioned, and subject to the visitation of the said Regents, and of their successors, as provided by law. On condition, however, that the said capital stock shall not be diminished in amount, and that the same shall never be applied to purposes other than for public academic instruction. And on the further condition and understanding, that if a proper building for the purposes of the said Academy shall not be provided or erected, and a suitable course of instruction be organized therein, within two years from the date hereof, and a report of the same be made by the said trustees, or their successors, to the said Regents, con-

taining the particulars in that behalf required by their ordinances, that then, at any time thereafter, this charter, on a declaration to that effect to be made by the said Regents on their minutes, on evidence satisfactory to them, shall become absolutely void. And it is also further expressly understood, that the said Academy is not to be entitled to any part of the funds which may by law be distributed to or divided among the incorporated academies of this state, arising from the income of the literature fund, or otherwise, until the said capital stock shall have been fully paid in, and until a suitable academy building shall have been erected or procured, and a library and philosophical apparatus obtained for the said academy, of the character and value required by law and the ordinances of the said regents, and until also it shall satisfactorily appear to the said regents that their ordinance in regard to the debts of academies, passed January 15, 1857, has been fully complied with.

In Witness whereof, the said Regents have caused their common seal to be hereunto affixed, and their Chancellor and Secretary to subscribe their names, this day of [L. s.] , in the year one thousand eight hundred and .

——— ———, *Chancellor.*

——— ———, *Secretary.*

2. For a provisional incorporation founded on donations or endowments not in form of the capital stock.

To the Regents of the University of the State of New York:

The petition of the undersigned, inhabitants of the , in the county of ,

Respectfully represents:

That they are desirous to found an academy at , in the county of , and that for the endowment

of such academy, subscriptions have been obtained to the amount of dollars, as will appear by a copy of the subscription list hereunto annexed, and from which it also appears that your petitioners have contributed more than one-half of the said amount thus subscribed. That at least ten per cent of the amount subscribed has been paid by or for each subscriber in cash, and is now held by your petitioners or on their behalf, for the purposes of the incorporation herein prayed for. That all the said subscriptions are, as your petitioners believe, made in good faith and by parties who have the ability to pay the amount subscribed by them respectively, and that no other property has been contributed or collected for the said academy. That your petitioners request that the said academy may be incorporated by the name of , and they do hereby nominate the following persons as the first trustees thereof [give christian names in full]:

The undersigned do therefore request the regents to incorporate the persons above nominated as the first trustees of the said academy by the name above mentioned. It being distinctly declared and understood by your petitioners that the said incorporation is now asked for to facilitate the purchase of a site for the said academy and the erection of the necessary buildings therefor, and for the commencement and organization of a proper course of instruction therein; and that if a proper building for the purposes of the said academy shall not be provided or erected, and a suitable course of instruction be organized within two years from the granting of the charter prayed for, and a report of the same be made by the said trustees to the said regents, containing all the particulars required in the case of an application for the incorporation of an academy by the said regents, that then,

at any time thereafter, the said charter, on a declaration to that effect to be made by the said regents on their minutes, on evidence satisfactory to them, shall become and be absolutely void; and on the further understanding, that the said academy is not to be entitled to any part of the funds which may by law, from time to time, be distributed to or divided among the incorporated academies of the state, arising from the income of the literature fund or otherwise, until at least two thousand five hundred dollars shall have been paid in or contributed towards founding and establishing the same, and until a suitable academy building shall have been erected or procured therefor, and a library and philosophical apparatus obtained of the character and value required by the ordinances of the regents.

The following is a copy of the subscription list above referred to:

[Here follow the signatures of the petitioners who have contributed as above, in their own handwriting.]

AFFIDAVIT.

STATE OF NEW YORK, } *ss:*
County of , }

A, B, C, [three at least,] signers of the above application, being duly sworn [or affirmed, as the case may be], depose and say, that they are acquainted with the contents of the preceding application, and that the statement of facts therein set forth is in all respects true, to the best of their knowledge, information and belief, that they believe the said subscription to be a valid one, and that the application is made in good faith for the purposes therein stated.

(Signed) A.
B.
C.

Subscribed and sworn before me, this day of 18 .

[If any donations, other than in money, have been made to the academy, such as a lot for the site of the building, etc., etc., the fact should be stated in the application, and the property described, and the value thereof, and the foregoing form should be altered to conform to the circumstances.]

The form of charter on this application is mainly the same as the preceding.

III. Form of application by the trustees of an academy provisionally incorporated, asking that the provisional charter may be declared absolute.

To the Regents of the University of the State of New York:

The trustees of academy respectfully represent, that they received from your honorable body a provisional charter, bearing date 18 , that they have founded an academy at , in the county of , procured a suitable lot, erected a suitable building thereon, and supplied it with a suitable library and apparatus for the accommodation of such academy, as will appear by the following description [here adopt the form prescribed for an application for an absolute charter on page 109 *et seq.*]

The said trustees do therefore hereby make application to the regents of the university, that the charter of their academy, issued and dated as aforesaid, be declared absolute, and that they be admitted to all the rights and privileges of academies incorporated with an absolute charter.

[Here is to follow the authentication of the application in the form prescribed on page 114 *et seq.*]

IV. Form of application of an academy already incorporated by the legislature, to become subject to the visitation of the regents of the university.

To the Regents of the University of the State of New York:

The trustees of academy, established at , respectfully represent, that they were incorporated by the legislature on the day of , 18 ; that they are desirous to become subject to the visitation of the regents of the university, to enable them to participate in the distribution of the moneys belonging to the literature fund, pursuant to the statute in such case made and provided; and to that end they hereby subject the said academy to the visitation of the said regents, to the same extent and in the same manner as if they had been originally incorporated by them; and the said trustees herewith submit the following statement of the condition of their institution on the date of this application, in respect to the several subject-matters required to be embraced in it.

[Here adopt the form given on page 109 *et seq.*, observing the fact, that, as in one case there is an application for an incorporation, and in the other, the academy is already incorporated, it is necessary to use terms conformable to the respective cases.]

V. Form of application of the board of education of a union school to subject their academical department to the visitation of the regents of the university.

To the Regents of the University of the State of New York:

The undersigned, constituting the board of education, or the trustees of the union school of , in the county of ,
Respectfully represent:

That said union school has been established under the provisions of chapter of the laws of 18 ;

that an academical department has been organized and is in operation in said school; that the said academical department is taught in the building appropriated to said school [or if a separate building has been provided, let it be so stated]; that a suitable library and apparatus have been provided, as will more fully appear by the following description [here describe grounds and buildings, and give catalogue of library and apparatus, as directed in the form of application for the incorporation of an academy proper on page 109 *et seq.*].

The undersigned do therefore hereby make application to the regents of the university, that the said academical department may be received under their visitation, according to the provisions of law in such case made and provided. [To be signed by the members of the board of education.]

AUTHENTICATION OF APPLICATION.

STATE OF NEW YORK, }
County of , } *ss.:*

being duly sworn (or affirmed as the case may be), deposes and says, that he is president of the board of education of ; that he is well acquainted with the facts set forth in the preceding application to the regents of the university, and that the same are in all respects true, to the best of his knowledge, information and belief.

(Signed) A. B.

Subscribed and sworn before me, }
this day of , 18 . }

CHAPTER XIV.

ANNUAL REPORTS OF ACADEMIES.

1. *As to the Financial Condition of Academies.*

SEC. 1. The trustees of every academy incorporated by the regents or subject to their visitation, shall, in every annual report to the regents, either make and transmit a full statement of all the academic property then belonging to them in the manner required by the form of application for incorporation, or in lieu thereof, state whether such property remains in all respects the same as at the time of making any previous statement thereof, to be particularly referred to by them, or whether the same has been increased or diminished in quantity, enhanced or depreciated in value, and to what extent, or has in any other and what respect, undergone any and what change, since the time of making such previous statement — showing, in all cases, the true value of such property at the time of making such report as aforesaid; and it is hereby made the duty of the trustees of every such academy, at or near the close of the year for which every such report is made, to cause all the books and articles of apparatus then actually possessed by them, to be compared with the original catalogues or inventories thereof (to be always preserved for that purpose), to ascertain whether any of their books or articles of apparatus have been lost, destroyed or

damaged beyond the ordinary wear and tear thereof from necessary use, and to state in every such report whether such duty has been discharged, and whether any, and if any, what part of their books and apparatus shall on such comparison be found to be lost, destroyed or damaged as aforesaid, and through whose act, omission or neglect such loss or damage shall have happened.

§ 2. Every academy subject to the visitation of the regents of the university, and claiming a distributive share of the income of the literature fund, shall annually, on or before the first day of November, make and transmit to the regents (so that the same may be received by their secretary on or before that day) a report in writing, in such form as shall be prescribed, exhibiting a full view of its state and condition, at the close of its academic year, in respect to the following particulars, viz.:

Condition and value of its academic lot and buildings.

Condition and value of its library and philosophical apparatus.

Kind and value of its other property.

Title of its property.

Incumbrances and debts.

General cash account.

Annual revenue and expenditures.

Amount of money received by it from the regents of the university since its last annual report, and how the same has been expended.

And also in respect to all such other matters as shall be required by the said regents to be reported on in the form prescribed by them.

2. *As to the Literary and Scientific condition of Academies.*

§ 3. The report required as above, shall also contain the number and names of its teachers, and the annual salary or compensation allowed to each; the age of such teachers; the time each has been engaged in teaching; the general course of study pursued preparatory to teaching; and whether the business of teaching is pursued as a permanent or a temporary employment.

The whole number of pupils, including classical and all others, who have been taught during each of the academic terms of the year.

The whole number of pupils who have been taught during the whole or any part of the academic year for which the report is made.

The number of pupils belonging to the academy at the date of its report, or who belonged to it during part of the year, ending on the date thereof, and who are claimed by the trustees to have pursued for four months of said year or upwards, classical studies, or the higher branches of English education, or both, according to the form to be from time to time prescribed.

§ 4. The said report shall also contain, or have appended or annexed to it, a true catalogue or list of all the students belonging to the academy at the date

of its report, or during part of the year ending on the date of its report, who are claimed by its trustees to be such classical scholars, or such scholars in the higher branches of English education, or both, and to have pursued their studies for such length of time as to entitle the academy to which they belong to a distributive share of the income of the literature fund, in which said catalogue or list shall be inserted the name or age of each student claimed to be such scholar as aforesaid, together with a specification of the different studies pursued by such student, and the length of time the same were pursued in each quarter or term of the year ending on the date of said report, by recitations of ordinary frequency and in the ordinary way, designating said studies by the ordinary name or title of the book or treatise on the subject so studied, and designating also the part or portion of the book or treatise so studied.

The said report shall be properly authenticated and verified by the affidavit of the president of the trustees, and of the principal of the academy. [*Ordinance of October* 20, 1853.]

CHAPTER XV.

EXAMINATION AND CLASSIFICATION OF SCHOLARS AND DISTRIBUTION OF THE LITERATURE FUND.

SECTION 1. The scholars in every academy subject to the visitation of the regents of the university shall be divided into two classes, to be denominated preparatory and academic. Preparatory scholars shall be those who pursue studies preliminary to the higher branches of English education; and academic scholars, those who, having passed the examination in preliminary studies hereinafter provided for, shall pursue the higher branches of English education, or the classics, or both.

§ 2. At or near the close of each academic year, and oftener, if judged necessary by the trustees of any academy, an examination in writing of all scholars presumed to have completed preliminary studies shall be held, in conformity with instructions to be issued by the chancellor and secretary of the university, under the direction of a committee of at least three persons to be appointed by the trustees of the academy. Printed sets of questions in arithmetic, English grammar and geography, and an exercise in spelling, shall be prepared or approved by the chancellor and secretary of the university, and furnished to each academy making due application for the same. A record of the names, ages and residences of all scholars who shall successfully pass such examination,

with the number of questions correctly answered in each exercise, shall be kept in a book provided for the purpose, and preserved as the property of the academy.

§ 3. The written answers to the questions and exercises, as given by each scholar who shall be claimed to have passed the examination, shall be forwarded to the secretary of the university within one month after the date of the examination, accompanied by a statement of the name, age and residence of each scholar claimed as aforesaid, and the number of correct answers claimed to have been given in each study, duly certified by the committee and verified by the affidavit of the principal; and to each scholar who shall be found to have answered at least seventy-five per cent of the questions on each subject, and to have written with correct spelling and in a fair and legible hand at least eighty-five per cent of the words in the spelling exercise, shall be given a certificate of academic scholarship, in such form as the chancellor of the university shall approve, and under the name of the chancellor and secretary, to be countersigned by the principal of the academy; which certificate shall entitle the person to whom it is granted to admission into the academic class in any academy subject to the visitation of the regents, without further examination. — [1870, *March* 29.

§ 4. The fourth section of the ordinance of March twenty-ninth, eighteen hundred and seventy (*University Manual*, 1870, pp. 83, 84), being in the words following, to wit:

"§ 4. Scholars admitted to any academy who have

not received the certificates of examination as aforesaid, and who claim or are presumed to be academic scholars, shall within one week of such admission be examined by the principal and other teachers of the academy, and if found to have completed the preliminary studies, shall be provisionally admitted to the academic class; but such admission shall not excuse such scholar from the examination above required at the close of the term, and the certificate as aforesaid shall be given only on such examination, but may have effect as if given at the commencement of the term, provided the committee shall be satisfied that the scholar to whom it was given was at that time entitled to it," is hereby repealed. — [1879, *July* 8.

§ 5. All scholars admitted to the academic class as aforesaid, shall be regarded as scholars in the higher branches of English education or as classical scholars; and having after such admission pursued studies usually regarded as in advance of arithmetic, English grammar, and geography, as aforesaid, or having become thoroughly proficient in the elementary works usually studied prior to the classics, and in addition thereto having studied the first book of Virgil, or its equivalent in Cæsar, Sallust or Cicero, shall entitle the academy to which they belong to a share in the distribution of the literature fund, provided they have pursued such studies for four months or upwards of the year for which the distribution is made; the said four months to embrace at least thirteen full weeks of study.—[1870, *March* 29.

The ordinances, heretofore in force, relative to the distribution of the literature fund, are hereby amended by the addition of the following, viz. (§§ 6–8):

§ 6. In accordance with the provisions of chapter 514, of the laws of 1880, a portion of the income of the literature fund, not to exceed the one-fourth part thereof, shall hereafter be distributed in proportion to the number of pupils in the several academies, who during the preceding year have passed the advanced examination [established by the Regents under the provisions of chapter 425, § 6, of the laws of 1877]; and in such distribution the pupils to be counted shall be those, only, whose examination for intermediate certificates, or for diplomas, shall be completed at the academic examinations held November, 1880, or subsequent thereto; provided that they have been in attendance at said academies for a period of not less than thirteen weeks during the year for which such distribution is made; and for each such pupil who, during the academic year preceding the time of apportionment, shall complete the examination required for the Regents' diploma, the sum of ten dollars shall be allotted to each academy, and for each additional pupil who in like manner shall complete the examinations required for the intermediate certificate, the sum of five dollars; provided that the whole sum so distributed does not exceed the one-fourth part of the amount appropriated from the literature fund as prescribed by law; but when a greater sum than said fourth part would be required, then the

amount allotted for each pupil shall be so reduced that the whole sum shall conform to the legal limit.

§ 7. The statute which provides in regard to the distribution of the literature fund, that "every such distribution shall be made in proportion to the number of pupils in each seminary, who, for four months during the preceding year, shall have pursued therein classical studies, or the higher branches of English education, or both" (1 R. S. 458, § 24), is to be construed as requiring such pupils to pursue at least three subjects of study during the period prescribed by law, or, if a less number, a proportionally greater amount of time shall be devoted to them: this clause to take effect at the beginning of next academic year.

§ 8. It shall be deemed a sufficient compliance with the ordinance of March 29, 1870, § 5, that scholars counted in the distribution of the literature fund shall have passed the preliminary examination at or before the close of the academic year for which the distribution is made, instead of wholly in advance of the required period of study.—[1881, *January* 13.

§ 9. Whenever an academical department of a union school shall be established by the adoption of an existing academy, as authorized by chapter 555, title ix, § 24 of the laws of 1864, such department shall not be recognized and allowed [after January 1, 1881] to participate in the distribution of funds apportioned by said regents of the university, until it shall have been formally received under visitation, on due application made by the board of education

of such union school, in the form prescribed for academical departments established *de novo*.—[1880, *January* 9.

§ 10. All scholars in the academic class shall be exercised in composition and declamation alternately, as often as once in every week, and in spelling, reading and writing as often as thorough proficiency in those subjects shall require; except that instead of declamation, females may be exercised in reading, with special regard to elocution. — [1853, *October* 20.

§ 11. The apportionment or distribution of the income of the literature fund among academies is made by the regents of the university, at their annual meeting in January. Soon after the apportionment is made, it is published in the State paper for the time being, and certified by the chancellor and secretary of the university to the comptroller, on whose warrant the amount apportioned to each academy will be paid by the treasurer of the State, on drafts or orders therefor drawn on him by the treasurers of the several academies; such drafts or orders being accompanied by a proper certificate from the president or secretary of the academy, under its corporate seal, that the person signing the draft is the treasurer of the academy, duly appointed by the trustees thereof. The draft must be in the following form, duly indorsed:

To the Treasurer of the State of New York:

Pay to the order of , the amount of money apportioned in January, 18 , to , by the regents of the university, out of the income of the literature fund. Signed, *Treasurer of*

Dated at , 18 .

It is hereby certified that , the person signing the above draft or order, is the treasurer of the said academy, duly appointed by the trustees thereof, and that the said draft was duly signed by him.

In witness whereof, the president of the board of trustees has hereto subscribed his name, and caused the corporate seal of the academy to be affixed,* this day of 18 .

L. S.

President (or *Secretary*) *of*

A copy of the above form of draft, including the amount apportioned, will be forwarded from the office of the regents to the treasurer of each academy, for his signature and indorsement and the requisite certificate. Such draft may be negotiated through a bank, or may be sent by post to the treasurer of the State, who will forward his check for the amount.

§ 12. No part of the revenue of the literature fund, to be assigned to any academy or school for the purchase of text books, maps and globes, or philosophical or chemical apparatus, shall be paid over to such academy or school, until the trustees thereof shall certify and declare, under their corporate seal, that the money required to be raised and applied by them for the said purposes has been raised by contribution, donation, or from other sources independent of their own corporate property, that the said money has been so raised or contributed with the express view of applying for and receiving a like sum from the regents for the purposes aforesaid, and that the same has been actually paid to their treasurer, and is held by him to

* If the academy has no corporate seal, erase the clause "and caused the corporate seal of the academy to be affixed," and write "no seal" in the above space reserved for the seal.

be applied for the purpose above mentioned, designating such purpose by specifying the particular books, maps and articles of apparatus proposed to be purchased by them, and classifying them as hereafter directed.

§ 13. Whenever (but not oftener than once a year) the trustees of any such academy or school shall present to the regents the certificate required by the preceding section, in the form hereafter prescribed, and the matters contained therein be satisfactory to them, they, the said regents, will appropriate such a sum of money, not to exceed one hundred and fifty dollars, as may be authorized by law and the provisions of their ordinances.

§ 14. The money so raised and granted shall be applied in the purchases specified in such certificate, but the regents reserve the right to disapprove of a part or the whole of said proposed purchases, and to designate and direct what may be purchased in lieu thereof or of part thereof, notice of the articles so to be designated and substituted to be given to said trustees.

§ 15. Whenever any appropriation shall thus be made by the regents, it shall be the duty of the chancellor and secretary of the university to certify the same to the comptroller of the State, that the same may be paid by him according to the statute in such case made and provided.

§ 16. Such appropriations do not apply to the sums of money required for the endowment of an academy,

viz., $150 for the purchase of a library and $150 for the purchase of an apparatus, nor for the purchase of chemicals, musical instruments, or miscellaneous books not specially suitable and valuable for the purposes of academic instruction.

§ 17. Contributions of books, apparatus, minerals, etc., shall not be considered as a sufficient compliance with the above requirements; but the contributions shall be in actual money.

§ 18. The term "text books," as used in chapter 536, § 3, of the laws of 1851, is construed to include all standard books, designed for use as class or text books, and such other works for reading and reference as are useful for the purposes of academic instruction.

§ 19. Every academy to which moneys shall be granted for the purchase of books and apparatus, is hereby required to report in detail to the regents, in its next annual report presented after said grant, the full and complete expenditure of all moneys, both raised and granted, for the above purpose, and that the books and articles purchased are held as the property and for the use of the academy; and until it does so account, the regents will withhold the amount unaccounted for from the respective share of each academy, in the distribution of the revenue of the literature and United States deposit funds. Nor will the regents make any new appropriation to said academy, unless the above requisition has been fully complied with.

§ 20. The appropriations directed by this ordinance

shall be made at the annual meeting of the regents in January; and if the sum appropriated by the legislature for this purpose is not exhausted by the applications at that meeting, then future applications may be acted on at the semi-annual meeting in July.—[1853, *October* 20 ; 1881, *January* 13.

§ 21. One thousand dollars of the sum annually appropriated by the legislature for the purchase of books and apparatus shall be apportioned among the schools making application [in the form hereinafter prescribed, § 25] pro rata, according to the number of scholars admitted to the distribution of the literature fund; provided that no school shall receive an amount greater than that actually raised and duly applied for.

§ 22. Whenever there shall be applications to the regents of the university for appropriations of money to purchase books and apparatus, and there shall not be a sufficient amount remaining, after the pro rata apportionment of one thousand dollars, as provided by the next preceding section of this ordinance, to grant such applications in full, distribution shall be made as follows:

1. Schools which have not received an appropriation shall have preference.

2. Schools which have not received an appropriation within ten years may be admitted to the apportionment *de novo*.

3. Schools which have received less than two hundred and fifty dollars may receive to that amount.

4. No school may receive one hundred and fifty

dollars in each of two successive years, nor more than five hundred dollars within ten years.

§ 23. Applications disallowed by the regents either wholly or in part for the want of funds, may be renewed by resolution of the applicants duly certified and filed with the regents.

§ 24. Applications received before December fifteenth in each year shall have preference over any received at a later date, before the next annual meeting of the regents.—[1880, *July* 14; 1881, *January* 13.

§ 25. All applications for money to purchase books and apparatus must be in the following form:

To the Regents of the University of the State of New York:

The trustees of academy respectfully represent that they have raised or caused to be raised, the sum of dollars, to be applied to the purchase of books or philosophical or chemical apparatus, pursuant to the statute in such case made and provided; that the said sum has been raised by donations or contributions from *sources independent of their own corporate property, or by taxation;* that the *same has been actually paid to their treasurer and is held by him for the purpose aforesaid; that the said money has been so raised or contributed* [here state the source from which the money was raised, whether by subscription, tax, or otherwise] *with the express view* of applying for and receiving a like sum from the regents for the purpose contemplated in the statute; and that it is intended to apply the said sum of money, together with the money hereby applied for pursuant to said act, to the purchase of the books and articles of apparatus particularly specified in the schedule hereunto annexed.

The said trustees therefore hereby apply to the regents of the university for an appropriation to the said

academy of the sum of dollars out of the moneys mentioned in the said act, to be applied, together with the like sum raised by them as above mentioned, before the date of the next annual report, to the purposes stated in said schedule, pursuant to the provisions of the act above referred to.

Done by the trustees of said academy, at a legal meeting held the day of , etc., at which meeting the following trustees were present [state their names]; and having been read and approved, it was duly adopted at the said meeting as the application of said academy, and ordered (after being verified by the oath of the presiding officer at said meeting and recorded on the minutes of its proceedings) to be transmitted to the regents of the university, pursuant to the provisions of their ordinance in such case made and provided.

All which is hereby done in obedience to said order, this day of , etc.

A. B., *President* (or *President pro tem.*, as the case may be) *of* *Academy*.

AFFIDAVIT ABOVE REFERRED TO.

STATE OF NEW YORK, } *ss.:*
County of }

A. B., being duly sworn, deposes and says that he is one of the trustees of academy, whose application to the regents of the university immediately precedes this affidavit; that he officiated as the presiding officer at the meeting of the trustees of said academy, referred to in the concluding part of said application; that the statement of facts therein set forth is true, so far as the same is properly within his personal knowledge, and that all the other statements he believes to be true. (Signed) A. B.

Subscribed and sworn before me, the day of .

§ 26. The following is the form of draft for money appropriated on the foregoing application:

To the Treasurer of the State of New York:

Pay to the order of , the amount of money appropriated in January, 18 , by the regents of the university, to , for the purchase of books and apparatus. (Signed) *Treasurer of* .

Dated at , 18 .

This draft must be accompanied by a certificate in the form given on page 135.

Books recommended for Academy Libraries.

§ 27. When an academy is incorporated or received under visitation, the library must be well furnished with works of reference on the subjects of academic study, such as dictionaries of the English, Latin, Greek and French languages, encyclopædias, gazetteers and standard works on science and literature, for the aid of both teachers and scholars.

Character of Books recommended.

The selection of books to be purchased with moneys raised and granted as aforesaid (§§ 12, 13), is left to the discretion of the trustees of academies, subject to the approval of said regents. It may be convenient to make such selections from catalogues issued by publishing houses, which may be obtained on application to them. Selections should be made with great care, and should include only works of standard character, and of substantial and permanent value.

The following classification with respect to books

proposed to be purchased must be observed in the application:

Dictionaries and Cyclopædias.
History, Biography and Antiquities.
Intellectual and Moral Philosophy.
Jurisprudence, Politics and Commerce.
Periodical and Collective Works.
Physics and Natural History.
Voyages and Travels.
Geographical and Statistical Works.
Poetry.
Belles Letters.
Educational Works.
Miscellaneous.

Apparatus.

§ 28. Full priced catalogues of philosophical and chemical apparatus may be obtained of the manufacturers, from which selections for purchases may be made. When the funds of an academy will admit of only limited purchases, the following order is recommended:

1. Globes, terrestrial and celestial, and Maps:
2. Instruments for surveying.
3. Mechanical powers.
4. Hydrostatic apparatus.
5. Air pump and pneumatic apparatus.
6. Electrical apparatus.
7. Chemical apparatus.

CHAPTER XVI.

BOOKS OF RECORD AND EMPLOYMENT OF TEACHERS.

SEC. 1. The trustees of every academy shall be required to keep in a suitable book provided for the purpose exact records of all their proceedings, and especially of the election and appointment of all teachers and the terms on which they are so elected or appointed, and of their resignation or dismission.

§ 2. They shall also provide one or more suitable books for a school register, in which shall be inserted the names and ages of all scholars, and their average daily attendance during each term.

§ 3. And also in a separate record, the names, ages and studies of all academic scholars, being classical scholars or scholars in the higher branches of English education, or both, with the date at which they became such scholars; said names, ages and studies being arranged by the terms of each year, as required in the schedule of studies annexed to the annual report to the regents.

§ 4. The books so required to be provided shall always be preserved as the property of the academy, and shall not be removed from its possession.

§ 5. The regents, in their visitation of academies, will make it a part of their duty to examine the said

books, to determine whether they conform to the requirements of this ordinance.

§ 6. In all cases where the compensation of the teachers of any academy is made to depend on the amount of money received from the tuition of pupils or the distribution of the literature fund, as well as in all cases whatever, the trustees of such academy shall expressly reserve to themselves, and shall actually exercise the right of employing all teachers in their academy, of fixing the relative proportion of the compensation of the principal and the subordinate teachers employed by them, and of determining the charges for tuition; and it shall be their duty, and they are hereby required to see that the relative proportion of compensation as aforesaid is absolutely paid to all subordinate teachers, and in no case where the salaries of such subordinate teachers are in arrears, shall their treasurer pay to the principal of their academy the distributive share of the literature fund while the said salaries are in arrears, but shall in the proportion fixed by them as aforesaid apply the same to the payment of said arrears; and they, the said trustees, shall state expressly in their annual report whether they have so reserved and exercised such rights as aforesaid, and protected the rights of subordinate teachers as required by this ordinance.—[1864, *January* 26.

CHAPTER XVII.

As to Examinations.

I. *Medical Examinations.*

First board of medical examiners, appointed under the provision of chapter 746 of the Laws of 1872, on the application of the Homœopathic Medical Society of the State of New York: *

Date of Appointment.	
1872, Nov. 12.	John F. Gray, LL. D., M. D., New York.
	Erastus A. Munger, M. D., Waterville, Oneida county,
	William H. Watson, A. M., M. D., Utica.
	Henry B. Millard, A. M., M. D., New York.
	Wiliam S. Searle, A. M., M. D., Brooklyn.
	Frank L. Vincent, A. M., M. D., Troy.
	Horace M. Paine, A M., M. D., Albany.
	Henry N. Avery, A. M., M. D., Poughkeepsie.
	John A. McVickar, A. M., M. D., New York.
1873, July 29.	Samuel A. Jones, M. D., New York, *vice* E. A. Munger, resigned.
	George A. Belcher, M. D., New York, *vice* F. L. Vincent, resigned.
	John C. Minor, A. M., M. D., New York, *vice* H. N. Avery, removed from the State.
1874, Feb. 28.	Carroll Dunham, A. M., M. D., Irvington-on-Hudson, *vice* S. A. Jones, resigned.
1878, March 20.	Charles A. Bacon, A. M., M. D., New York, *vice* C. Dunham, deceased.
1879, April 11.	Selden H. Talcott, A. M., M. D., New York, *vice* J. A. McVickar, resigned.
1881, July 14.	Henry D. Paine, A. M., M. D., *vice* J. C. Minor, absent from the country.

[The board now (Sept., 1881), consists of Drs. Gray, Watson, Millard, Searle, H. M. Paine, Belcher, Bacon, Talcott and H. D. Paine, named in the order of seniority of appointment.]

* This board of examiners have issued, in pamphlet form, a set of instructions for candidates desiring to be examined, which may be obtained on application.

Second board of medical examiners, appointed on the recommendation of the Medical Society of the State of New York:

Date of Appointment.	
1875, Jan. 14.	E. M. Moore, M. D., Rochester.
	Alonzo Clark, M. D., New York.
	E. Krackowizer, M. D., New York.
	John P. Gray, M. D., Utica.
	S. O. Vanderpoel, M. D., Albany.
	E. R. Squibb, M. D., Brooklyn. Declined.
	John Ordronaux, M. D., New York.
	A. Jacobi, M. D., New York.
	Thomas Hun, M. D., Albany.

Third board of medical examiners, appointed on the application of the Eclectic Medical Society of the State of New York:

Date of Appointment.	
1875, Jan. 14.	J. Edwin Danelson, M. D., Little Falls.
	Alexander Wilder, M. D., New York.
	Robert Hamilton, M. D., Saratoga.
	Herman Boskowitz, M. D., Brooklyn.
	David White, M. D., Ithaca.
	Robert S. Newton, M. D., New York.
	Orin Davis, M. D., Attica.

RULES AND REGULATIONS ESTABLISHED BY THE REGENTS OF THE UNIVERSITY, *September* 5, 1873.

1. Any person wishing to be examined as authorized by the fifth section of the act referred to [*Laws of* 1872, ch. 746; *ante*, p. 8.], after he shall have made the payment required in said section, shall apply in writing to the chancellor for such examination, and shall also present to him in writing the preliminary proofs as to age, character, attainments and professional studies required by the said act.

2. If the proofs thus presented be satisfactory to the chancellor, he shall give his certificate thereof in writing, to be filed with such proof in the office of the regents, and grant an order addressed to any board of examiners appointed under the said act, authorizing such board to examine such candidate as required by the said act and these rules, and to furnish to the regents of the university, in writing, a full report of such examination and the opinions of the examiners, within such time, to be named in said order, not exceeding three months from the date thereof, as the chancellor may deem to be reasonable, which time may be extended on satisfactory cause being shown to him.

3. The chairman of the board of examiners shall convene the board within thirty days after receiving the said order, giving at least ten days' notice in writing to its members, and also to the president of each of the State medical societies of this State, of the time and place of meeting, and of the name of the candidate or candidates to be examined.

4. The said board may, from time to time, make such rules in writing, as to the attendance of its members and for its own conduct and government, as it may deem proper; a copy of which rules shall be filed with the secretary of the university, and all such rules shall be subject to repeal, alteration or amendment by the regents.

5. The examination of every candidate shall be open to the members of the medical profession, wher-

ever resident, and to the regents of the university. It shall be conducted by examination papers, to be furnished by the regents to the chairman of the board of examiners in sealed envelopes, in sets of not more than five questions in each envelope. At the commencement of the examination, the chairman of the board shall deliver one of said envelopes, so sealed to each member of the board present and to each candidate, and shall thereupon fix and declare the time to be allowed in which to answer that set of questions. The questions shall be the same for all the candidates at the same examination.

The answer shall be in writing in the following form :

ANSWER OF A. B. TO THE QUESTIONS HERETO ANNEXED.

To the first question he says [here insert answer], and so on through all the questions.

When the candidate shall have completed his answers to all the questions, or the time fixed by the chairman shall have expired, he shall sign his name to the answers and annex thereto the questions, and deliver the same to the chairman, and so on with other sets of questions until the whole examination be completed.

The examiners may also examine the candidates by oral questions after the paper examination is concluded ; but each oral question shall be correctly written down at the time, before it is answered, and

the answer thereto shall also be immediately written down, and such oral examination, as well as the paper examination, shall make part of the report to the regents.

No candidate shall, during the time devoted to his examination on any one set of questions, consult any person, book or paper, or leave the room in which said examination is conducted.

6. Every member of a board of examiners shall, within twenty days after the issuing of the order provided for in the second of these rules, send to the regents of the university (addressed to the secretary) at least fifty written questions proper to be put to the candidates, to be classified in any way he may deem proper. From said questions, and others to be proposed by the regents or other persons, the regents shall select the questions to be put to the candidates as aforesaid.

7. Any candidate who shall be commended for distinguished merit in the report of the examining board, and who shall also present to the regents a dissertation on some medical topic, written in either Latin or English, may, if the regents so direct, receive special notice of such merit at the University Convocation next succeeding his examination.

8. The degree of "Doctor of Medicine of the University of the State of New York," which may be granted in conformity to the said act, will be conferred in form, either at a meeting of the regents, or at the then next University Convocation.

9. The secretary of the regents is hereby authorized, out of the moneys which may be received from candidates, pursuant to the fifth and seventh sections of the said act, to pay in the first place all proper incidental expenses attending the examination and proceedings aforesaid, to be audited by him, and then the actual traveling expenses of the examiners, or such part thereof as the fund may warrant, to be audited in like manner.

10. Any vacancy which may occur in any board of examiners, when the regents are not in session, may be filled by the chancellor by an appointment, to continue in force until the next meeting of the regents.

11. The secretary of the regents is directed to communicate a copy of these rules and regulations to the president of each of the State medical societies and medical colleges in the State.

II. *Academic Examinations.**

1. The Regents have under authority of law established, in the academies under their visitation, a system of examinations, for the purpose of determining the ratio in which the income of the literature fund shall be distributed, and for the purpose of fixing a suitable grade for such studies as may be pursued therein.

2. The preliminary examination is designed to determine what scholars are to be classed as academic

*For the statutes relating to these examinations, see page 8.

scholars and be counted in the distribution of the literature fund. The subjects of examination are, arithmetic, geography, English grammar and spelling. It is intended to mark the point at which scholars may be considered as having attained to such a knowledge of these subjects as may be acquired in the common schools of the State, and as being qualified to enter upon classical studies or the higher branches of English. A certificate is issued to such as have passed this examination.

3. The advanced examinations are held on such subjects as are required for admission to the colleges of the State, and on such other subjects as are usually pursued in schools of the academic grade. They are therefore arranged for two courses of study, the college entrance course and the academic course. In the college entrance course a certificate of progress, called the intermediate certificate, is given for algebra, plane geometry, American history, and Latin through four books of Cæsar's Commentaries, and the Regents' diploma when the whole group of college entrance studies is finished. In the academic course the intermediate certificate is given for algebra, plane geometry, American history, physical geography, physiology and rhetoric, and the Regents' diploma for eight additional subjects — four to be chosen from group I, and four from group II. It is allowed in the latter course to substitute language studies for other subjects, as follows, viz. : Cæsar's Commentaries, including the elements of Latin for any three

subjects, Virgil's Æneid, French translated at sight, or German translated at sight, for any two subjects, and Sallust's Catiline, Virgil's Eclogues, or Cicero's Orations, for one subject, *except* that for at least two subjects in group I, and two in group II, and for algebra, geometry and American history, no substitution will be allowed.

Intermediate.—Algebra, American history, physical geography, physiology, plane geometry, rhetoric.

Group I.—Book-keeping, botany, geology, history of Greece, moral philosophy, political economy, science of government, zoölogy.

Group II.—Astronomy, chemistry, English literature, history of England, mental philosophy, physics, plane trigonometry, history of Rome.

College entrance.—Algebra, geometry and American history (see col. 1); Cæsar's Com., books 1–4; Sallust's Catiline; Virgil's Æneid, books 1–6; Virgil's Eclogues, Cicero, six orations; Latin composition, Xenophon's Anabasis, books 1–5; Homer's Iliad, books 1–3.

Substitutes.— French translation, German translation.

4. The candidates who may be admitted to the preliminary examination are: *First,* scholars in the academy who are presumed to be prepared. *Second,* "Any scholar from any common school who may apply for such examination, bearing the certificate of the principal teacher, or of any trustee of such

school, that, in his judgment, such scholar is qualified to pass the said examination." (*Laws of* 1873, chap. 642, § 4.)

5. Candidates for the advanced examinations must be members of the academy or academic department under the visitation of the Regents in which the examination takes place. Candidates are permitted to take the advanced examinations without having passed the preliminary, but no such candidate can receive any certificate or diploma for advanced subjects unless he has already received the preliminary certificate.

By an ordinance passed January 14, 1881, the Regents have directed that the privileges of the advanced academic examinations, held by the Regents in the several academies under their visitation, be extended to candidates not in actual attendance at such academies, under the following restrictions and conditions: *First,* that such candidates shall be registered in some one of the academies under the visitation of the Regents, and shall pursue their studies under the supervision of the principal thereof; *second,* that such candidates shall pass their examinations in the several subjects at the same time and under the same regulations as the candidates in attendance at such academies; *third,* that such candidates so registered and examined at any academy shall not be counted in the claims of such academy for its share in the distribution of the literature fund; but such academy shall be entitled to receive from each candidate a fee of one dollar at

the time of registration, and a further fee of one dollar for each subject entered for examination.

6. The examinations are to be held under the direction of a committee of at least three persons other than teachers in the school, either ladies or gentlemen, or both, appointed by the trustees of the academy or academical department, with the co-operation of the principal, in conformity with instructions issued by the Chancellor and Secretary of the University. The same committee, if more convenient, may take charge of both the preliminary and advanced examinations. The chief duty of the committee, by virtue of accepting this trust, is to see that the instructions are observed in every particular. If any institution cannot command the services of a capable and efficient committee, and the constant presence of at least one member, it must forego the privilege of the examination.

7. Sets of printed questions in all the subjects of examination will be issued at each examination. These will be sent (generally by express, for parcels weighing more than four ounces, prepaid to destination) to the chairman of the examining committee the week before the examination, provided the number of sets of questions needed and the names of the committee be seasonably furnished. A circular, asking how many sets of questions will be needed, will be sent to each academic institution subject to the visitation of the Regents, in advance of each examination; but in the event of its non-receipt at least ten days before the examination, the Secretary of the Re-

gents should be informed, by letter or otherwise, how many question papers are required. The chairman of the committee is to retain the questions in his own possession until the beginning of each session of the examination.

8. Candidates are to be allowed the prescribed time and no more for the completion of their answers; they are not to be allowed to give or receive aid; and at the expiration of the allotted time, they must subscribe to a declaration that prior to the session they had no knowledge of the questions to be proposed, and that they neither gave nor received aid in answering them.

9. The answer papers of the candidates are to be examined by the committee or by the principal and other teachers, who are to determine whether they are, in their judgment, entitled to the required amount of credit to be passed. These answer papers so approved are to be transmitted to the office of the Regents, accompanied by statements properly attested by the committee and the principal.

10. All answer papers sent to the Regents, as above required, are re-examined under their direction, and such as are not conformable to the instructions, or are found deficient or unsatisfactory, are disallowed. Notice of the result of this revision is sent to the principal. Pass cards, showing the several subjects in the advanced examination which have been satisfactorily passed, are issued to the candidates.

11. To the candidates who have satisfactorily passed in arithmetic, English grammar, geography and spell-

ing, the Regents' certificate of academic scholarship is issued, authorizing the admission of the holder, without further examination, into the academic class in any academy subject to the visitation of the Regents. It is required that the answer papers of each candidate in all of the above subjects be forwarded at once, so that the whole set may be approved at once; but it is allowed that each subject may be taken separately, provided that when a period of three years has elapsed since any subject was passed before all are completed, such subject must be taken again.

12. The Regents' intermediate certificate and the Regents' academic diploma are issued whenever the candidate has passed in the subjects of the advanced examination required by section three. The diploma is issued under the seal of the University and will show the several subjects in which the candidate has passed.

CHAPTER XVIII.

FORMS FOR ANNUAL REPORTS OF COLLEGES AND ACADEMIES.

To facilitate, as far as possible, the preparation of the annual reports required from the colleges and academies subject to their visitation, the Regents have prepared suitable printed forms, duplicate copies of which are sent to each institution, to be filled and returned on or before October 1st of each year, as required by law.

The principal matters to be reported upon by the colleges and academies, respectively, are the following:*

I. COLLEGES.

1. Calendar of the principal events during the last collegiate year.
2. List of the officers and members of the board of trustees, with their residences.
3. The officers and members of the faculty and other instructors, with the department of instruction and the compensation of each.
4. Number and classification of students in each department, according to classes, residence in this and other States, and sex.

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* Two or more copies of annual and triennial catalogues, and of other publications by any institution, should be sent, at the time of their issue, to the office of the Regents.

5. Degrees conferred by the trustees during the year, and from the origin of the institution:

1st. Number receiving the Baccalaureate degree in arts and in science, males and females.

2d. Number receiving the Master's degree in course, in arts and in science, males and females.

3d. Recipients of honorary degrees, name, residence and degree of each recipient.

6. College honors, prizes, scholarships, etc.:

1st. College honors ; title of each honor and names of recipients.

2d. Prizes, scholarships, etc. ; title and value of each and names of recipients.

7. Subjects of study:

1st. Requirements for admission, in Latin, Greek and modern languages, mathematics, and any other subjects.

2d. Studies of under-graduate classes ; number of lectures and exercises for each class during the year in each of the following departments of courses in arts and in science, to wit : Ancient languages, modern languages, English language and literature, mathematical sciences, physical sciences, natural sciences, history and political sciences, and philosophical sciences.

8. Grounds and buildings:

1st. Dimensions, character and estimated value of grounds.

2d. Dimensions, character and uses of the several buildings, and their estimated value, including furniture.

9. Educational collections.

1st. Library; number of volumes added during the year, present whole number of volumes and their estimated value.

2d. Apparatus; physical, chemical, and of any other kind, with estimated value of each kind.

3d. Collections other than the above; name and estimated value of each.

4th. Any additional statements relative to collections.

10. College property; summary of values of grounds and buildings, educational collections, investments in United States and State stocks, corporate bonds and stocks, bonds and mortgages, real estate other than college grounds and buildings, and any other property; also, debts at end of year, and net property. Any additions to the property during the last year are to be reported, together with any benefactions received, the names of donors, and the amount, objects and conditions of each donation.

11. Revenue and expenditures:

1st. Revenue, from tuition and other receipts from students, from income of invested funds, and from all other sources.

2d. Expenditures, for salaries paid for instruction, for prizes, scholarships, etc., for gratuitous aid to students, for improvements and repairs, for fuel and other incidentals, for interest on debt, and for all other purposes.

12. Estimated expenses of students, for tuition fees per year, and for board at the average price per week.

13. Additional information; such, for example, as changes in the organization and plans of the institution, the erection of buildings, and increased facilities for instruction.

14. Conclusion and authentication of report.

[Modifications of this general form are provided for medical and law schools and departments.]

II. Academies.

1. Ground for academy buildings, value as last reported, subsequent changes, if any, and present value.

2. Academy buildings; changes, if any, since last report, and present value.

3. Library; number of volumes reported last year and added since; original cost and estimated present value.

4. Philosophical apparatus; original cost and estimated value, as reported last year, and at the present time, including specified additions during the last year.

5. Certificate of committee (other than teachers) as to condition of library and apparatus, in regard to books and articles being present in proper state for use, provided with suitable rooms and cases for their preservation, and being used with due care.

6. Title to property; whether vested in trustees and absolute, or in any way conditional.

7. Other academic property; value of bonds and mortgages, government or other stocks, notes receivable, tuition bills collectible, furniture, real estate other

than academy lot, cash in treasurer's hands, and other property, if any, not already enumerated.

8. Debts and incumbrances, specified as to kind and amount.

9. Summary statement of property, and net value thereof.

10. Statement as to amount of money, if any, raised by the trustees and granted by the Regents for the purchase of books and apparatus, and how the same has been expended.

11. Revenue and expenditures:

1st. Revenue, from tuition, interest or income of property, literature fund and other allowances by the State, subscriptions for purchase of books and apparatus, boarding departments, and from any other sources not already named.

2d. Expenditures, for instruction, debts, and interest on debts, rent, repairs, fuel and other incidentals, dividends (if any) on capital stock, books and apparatus, expenses of boarding departments, and any other purposes not already enumerated.

3d. Certificate of auditing committee.

12. Teachers; number employed, males and females, and of those who make teaching a permanent employment, also the names and professional education of such teachers, the time spent in teaching and the department of instruction and annual salary of each.

13. Subjects of study pursued and text-books used, each designated by the author's name.

14. Number of scholars classified as full academic, partial academic, and preparatory, and according to

attendance by terms; also, the whole number of different scholars during the year (males and females), the number pursuing classical studies, preparing for college and entering college, and the number claimed as entitled to be counted in the distribution of the literature fund, according to the annexed principal's schedule.

15. Academic terms and vacations; number and length of terms and vacations, with dates of beginning and ending of each term.

16. Expenses of students; rates of tuition per annum and average of same; also, average price of board per week, with total for tuition and board per annum.

17. Officers of board of trustees.

18. Conclusion and authentication of report.

19. Affidavit of presiding officer of trustees as to correctness of annual report, etc.

The principal's schedule, containing the names, ages and studies of scholars claimed as entitled to be counted in the annual distribution of the literature fund, and a list of scholars receiving intermediate certificates and diplomas of the advanced academic examination, is attached to the trustees' annual report, a suitable blank form for such schedule being also provided by the Regents.

[A modified form of report is provided for the free academies and academical departments of union schools, which in general are not required to report on matters included under heads 1, 6, 7, 8, 9, of the foregoing form.]

CHAPTER XIX.

INSTRUCTION OF COMMON SCHOOL TEACHERS.

The designation of institutions to give instruction, under the provisions of chapter 425, sections 2–5, of the Laws of 1877 (pp. 46, 47, *ante*), will ordinarily be at or before the semi-annual meeting of the Regents in July, on due application by the trustees in the following form, with answers to the several questions :

To the Regents of the University of the State of New York :

The trustees of hereby apply to the Regents of the University for appointment to instruct a class in the science and practice of common school teaching, during one term of the academic year 18 , under the course prescribed by the said Regents, as provided by law. In support of this application, the aforesaid trustees respectfully represent, in answer to the inquiries made in this form of application, as follows :

Q. 1. How many townships (if any), besides your own, will probably be represented in the teachers' class, if organized under appointment ?

Q. 2. Can you rely upon the school commissioner of the district to aid in securing suitable members of the class and in visitation of the class during the course of instruction ?

Q. 3. What is the probable number of suitable scholars, according to the standard prescribed by the Regents in their instructions, who will apply for admission to the class for at least ten weeks ?

Q. 4. During which third of the year (fall, winter or spring) will it be desirable to instruct the class ?

Q. 5. How much time will be given to the special and separate instruction of the class, and by whom: the principal, or an assistant, or both ?

Signed by officers of the Board.

DATED, , 18

The funds at the disposal of the Regents not being sufficient to provide for the desirable number of full classes of twenty-five scholars for a term of thirteen weeks, the time will be limited to ten weeks when the class is full, making a maximum of two hundred and fifty weeks.

When the number in the class is less than twenty-five, the time may be extended, not to exceed thirteen weeks all in one term, the whole number of weeks not to exceed two hundred and fifty.

As the statute requires at least ten scholars in attendance not less than ten weeks each, the minimum for which allowance can be made is one hundred weeks.

Provisional appointments are sometimes made, with the understanding that payment for instruction given is contingent upon the sufficiency of the appropriation, after the regular appointment shall have been provided for.

Number of Institutions which may regularly be appointed in each of the following Counties to instruct Common School Teachers.

Albany	1	Oneida	4
Allegany	3	Onondaga	3
Broome	2	Ontario	2
Cattaraugus	3	Orange	2
Cayuga	2	Orleans	1
Chautauqua	3	Oswego	3
Chemung	1	Otsego	3
Chenango	3	Queens	1
Clinton	2	Rensselaer	1
Columbia	1	St. Lawrence	4
Cortland	2	Saratoga	2
Delaware	3	Schoharie	2
Dutchess	1	Schuyler	1
Erie	3	Seneca	1
Essex	2	Steuben	4
Franklin	2	Suffolk	2
Fulton	1	Sullivan	2
Genesee	1	Tioga	2
Greene	1	Tompkins	2
Herkimer	2	Ulster	2
Jefferson	3	Warren	2
Lewis	1	Washington	3
Livingston	2	Wayne	3
Madison	2	Wyoming	3
Monroe	2	Yates	1
Montgomery	1		
Niagara	2	Total	108

INSTRUCTIONS.

1. When an appointment to instruct a teachers' class has been received, general and seasonable notice of the organization of the class must be given, that all in the vicinity who desire it may have opportunity to apply for admission. Members of the class are to be selected from the applicants, by the joint action of the trustees and principal, who are to ask counsel and aid from the school commissioner of the district in securing suitable applicants.

2. The following conditions of admission to the class must be observed :

(*a*) The candidates must have attained the age, if males, of eighteen, and if females, of sixteen years.

(*b*) They should be residents of the county in which the academy is situated (or the next adjacent county of this State, when the institution is near the county line), and fairly distributed among the several townships from which the ordinary patronage of the school is derived.

(*c*) They must have passed the Regents' preliminary examination, or must give promise of being able to pass said examination before the close of the course.

(*d*) They must subscribe, in good faith, the following declaration, and the trustees and principal must be satisfied that the candidates are honest in making

it, and that they have the moral character, talents and aptness necessary to success in teaching:

"We, the subscribers, hereby declare that our object in asking admission to the teachers' class of academy is to prepare ourselves more thoroughly for the important duty of teaching in the public schools of the State, and that it is our intention to become teachers."

(*e*) No applicant may be admitted to the full privileges of the class who cannot comply with and be reasonably expected to fulfil all the conditions prescribed, and to devote the requisite time to the special work of the class.

3. The teachers' class must be organized and known as a special and distinct class, the instruction of which, so far as it relates to the preparation of its members for teaching, must be conducted separately. Not less than one and a half full hours of each school day must be devoted to this separate and special instruction of the class.

4. The following subjects of study are prescribed, to be pursued by the teachers' class :

Reading ;
Spelling;
Writing ;
Arithmetic, intellectual and written;
English grammar;
Geography ;
United States history;
Science of government;
Principles of teaching.

It is assumed that the members of the class are already well versed in the first six of these subjects so far as a knowledge of them is concerned. United States history and science of government may be taken as distinct studies by the class, or may be studied by the members in connection with other classes in these subjects in the school.

The full time of one and a half hours each day is to be occupied in drilling the class in the methods of giving instruction in the several subjects; and opportunities, under proper supervision and guidance, must be furnished for testing the skill and ability of each member by actual practice in teaching other classes of the school, or in conducting, by turns, the exercises of the teachers' class.

In reading, writing and spelling the class should be drilled with special reference to the proper methods of training the scholars of a common school in these exercises. The chief aim should be to cultivate an agreeable and effective style of reading ordinary prose; a neat, legible and ready business hand; and the habit of correct spelling in all exercises and business conducted in writing.

The exercises of the class in arithmetic, English grammar and geography should be of the character of "Institute drills." A programme for the entire course should be laid out, and a definite number of drills in each subject arranged. For each of these a topic should be assigned; thus in arithmetic, (1) addition and subtraction, (2) multiplication and division, (3)

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vulgar fractions, (4) decimal fractions, &c.; in grammar, (1) nouns and pronouns, (2) qualifying words, (3) verbs, (4) connecting words, (5) sentences, &c.; in geography, (1) general notions about the earth, (2) about land, (3) about oceans, (4) about rivers, &c. In this way the principal topics which are to be taught in common schools should be taken up and the best methods of teaching them explained and exemplified.

In addition to this practical drill in teaching, the class should study some suitable manual as to principles of teaching, with the view of becoming familiar with the best methods of organizing schools and classes, maintaining order and discipline, inspiring scholars with a love of knowledge, conducting examinations and general exercises, and enlisting the cooperation of trustees, parents and guardians.

5. If any members of the class have not passed the Regents' preliminary examination, or have not attained such a knowledge of the subjects of the course as will, when supplemented by the special drill above described, enable them to pass this examination, they may be allowed to take up such subjects outside of the class exercises with other classes of the school.

And if any members of the class have time, after faithfully doing all that is required above, they may be allowed to pursue such other subjects of study as will be most profitable, for which, however, no tuition may be charged.

6. An examination on the special work of the class must be held at or near the close of the course of instruction, under such regulations as the Regents may

make; and only those who shall have passed the Regents' preliminary examination, and shall pass this final examination, will be allowed by the Regents in apportionments for the instruction of common school teachers.

This examination will be oral as to reading and spelling and written as to other subjects. In arithmetic, English grammar and geography the examination will pertain chiefly to the methods of teaching these subjects, but will take for granted an adequate knowledge of them. In United States history and science of government, only such a knowledge will be expected as can be acquired during the continuance of the class; and if any member of the class has already passed the Regents' examination in these subjects he shall be excused from this final examination.

7. The school commissioner of the district in which the academy is situated must be informed when the class is to be organized and when finally examined, furnished with a programme of the class exercises, and invited to make frequent visits and co-operate in securing the best results. To this end every facility for observing the work and testing the proficiency of each member of the class must be afforded, and any counsel or official direction which he may give must be duly regarded.

8. The principal of the academy is directed, as soon as the class is organized, to notify the Secretary of the Regents, stating the number of pupils admitted, the plan of instruction, and when the final examination will be held.

9. Every institution asking and accepting appointment to instruct a teachers' class will be understood to assent to these instructions, and expected strictly to conform to them. The object of the statute, to wit, the preparation of well-qualified teachers for the common schools, must be kept in view; and it is expected that the trustees and principals of academies will realize the obligation which they assume of rendering a full equivalent for the liberal appropriation made by the State. Trustees of academies are at liberty to designate the particular term in which the instruction is to be given, unless the appointment is made for a particular term.

10. These instructions must be read to the class at its organization and repeatedly thereafter, that all may fully understand the requirements of the Regents, and be stimulated to the highest efforts for their realization.

Report to the Regents.

In the report to the Regents on the instruction of the class, for which blank forms will be furnished, answers to the following questions will be required:

I. *Observance of Instructions.*

1. Were the foregoing instructions literally obeyed? State exceptions (if any), with reasons.

II. *Admission to the Class.*

2. Which members of the class had already passed the Regents' preliminary examination, and which were admitted on expectations as to future proficiency.

3. Which (if any) members of the class took studies additional to those of the regular course; what were those studies, and how much was accomplished in each?

4. Was tuition charged for any studies pursued; and (if so) why, and how much?

5. Were any of the scholars reported under the prescribed age (males eighteen and females sixteen), and (if so) why were they admitted to the class?

III. *Instruction.*

6. By whom was the class instructed?

7. Were additional teachers employed for, or on account of, the instruction of this class?

8. How much time was spent daily, in the separate and distinct instruction of this class?

What text-books were used, what portions of each were pursued, what was the number and length of the exercises, and what was the general method of instruction, in each of the following branches?

9. Reading — principles and exercises.
10. Spelling.
11. Writing — system and practice.
12. Arithmetic — intellectual and written.
13. English grammar.
14. Geography.
15. United States history.
16. Science of government.
17. Principles of teaching.
18. Other subjects (if any) included in the course of instruction.
19. Were the members of the class exercised in the

instruction and government of other classes in the school, or by turns in their own class, or both, and to what extent?

20. Which scholars (if any) were absent during any part of the course of instruction, how long, and for what reason?

21. Was the time lost by absence made up in any way; and (if so) how, and to what extent?

IV. Official Visitation and Examination.

22. Was the school commissioner of the district notified of the time of the proposed organization, regular instruction and final examination, of the class, and to what extent did he co-operate?

23. Was the class visited by other commissioners, or by any other persons in an official capacity? If so, mention the persons, and state any important results of such visitations.

24. What was the character and what were the results of the final examination: what school officers were present; and to what extent did they take part in such examination?

V. Certificates.

25. Which scholars (if any) hold a commissioner's certificate, and of what grade, respectively?

VI. Employment.

26. Which scholars (if any) had already taught school, when admitted to this class?

27. Which scholars (if any) are at the date of this report engaged in teaching, or are under engagement to teach, and at what wages?

CHAPTER XX.

HONORARY DEGREES.

§ 1. All applications or recommendations for honorary degrees to be granted by the Board of Regents shall be in writing, and shall bear the signature of at least two Regents, as approving, recommending or offering the same.— [*Resolution of Oct.* 14, 1851.

§ 2. All nominations for degrees shall be referred to the committee on degrees; but no such nomination shall be acted on until at least one month after it shall have been made.— [*Resolution of July* 9, 1857.

§ 3. The following is a list of the honorary degrees thus far conferred by the Regents of the University:

Doctor of Laws. (LL. D.)

1792.	Robert R. Livingston.
	William Patterson.
1829.	William Alexander Duer.
1834.	Benjamin Franklin Butler.
1844.	William Learned Marcy.
1849.	Alexander H. Stevens.
	Harvey Prindle Peet.
	Salem Town.
1850.	Joseph Henry.
1851.	Valentine Mott.
1854.	John McLean, D. D.
1857.	Mark Hopkins, D. D.
1878.	Peter Cooper.
1879.	Thurlow Weed.
1881.	Martin Brewer Anderson.

Doctor of Civil Law. (D. C. L.)

1873. William Beach Lawrence.

Doctor of Literature. (L. H. D.)

1864. George Ticknor.
John Lothrop Motley.
1865. Charles Murray Nairne.
1869. Benjamin Nicholas Martin, D. D.
Edward North.
1870. Goldwin Smith.
William Cullen Bryant.
Horatio Seymour.
1871. Tayler Lewis.
William Dexter Wilson.
1872. Frederick Augustus Porter Barnard.
1874. Charles Davies.

Doctor of Philosophy. (Ph. D.)

1860. Philip P. Carpenter.
1862. David Henry Cochran.
1864. David Murray.
1865. Alonzo Crittenden.
1869. Noah Turner Clarke.
Malcolm McVicar.
1870. Emerson John Hamilton.
Joel Dorman Steele.
1872. Joseph Elijah King.
1873. Jonathan Allen.
Alonzo Flack.
1874. Cecil Flavel Petch Bancroft.
Daniel Johnson Pratt.
Albert Barnes Watkins.
1875. Edward Austin Sheldon.
Homer Baxter Sprague.
1877. John Howard Van Amringe.
John Winthrop Chandler.
1879. John Edwin Bradley.

1879. Stephen Gale Taylor.
1880. Merrill Edwards Gates.
Daniel Strobel Martin.
Ray Thomas Spencer.

Doctor of Medicine. (M. D.)

1812. Oliver C. Comstock.
William Kirkpatrick.
Andrew Morton.
Alexander Sheldon.
John Augustus Smith.
John Stearns.
David B. Warden.
Joseph White.
Westel Willoughby, Jr.
1816. Thomas Cooper.
1817. John D. Jacques.
1819. Richard Davidson.
William H. Richardson.
John Van Cleve.
1828. Luther Riley.
1829. Lewis Phœnix.
1832. Christopher C. Yates.
1847. Louis Agassiz.
William Farr.
Henry Marshall.

Doctor of Medicine of the University of the State of New York.
(Under authority of chapter 746, Laws of 1872.)

1875. Edward William Vietor.
Howard Lansing Waldo.
1880. Louis Eusebius Rade.
1881. Howard Simmons Paine.

Also on the nomination of the State Medical Society:

1827. Jonathan Eights.
Thomas Fuller.

1827. Laurens Hull.
John Onderdonk.
Gain Robinson.
James Stevenson.
1828. Thomas Broadhead.
Eleazer Gedney.
John D. Henry.
1829. Daniel Ayres.
Joseph G. T. Hunt.
Henry H. Sherwood.
John H. Steele.
1830. Enos Barnes.
Consider King.
Matson Smith.
Charles D. Townsend.
1831. Thomas Dunlap.
John Ely.
John McClellan.
Samuel Porter.
1832. Fayette Cooper.
Thomas O. H. Croswell.
Alpheus S. Greene.
Lucius Kellogg.
George W. Phillips.
1833. Robert Collins.
George Eager.
Joshua Lee.
Benjamin J. Mooers.
Asahel Prior.
Joshua Trowbridge.
1834. Harvey W. Doolitte.
Asa Fitch.
1841. Richard S. Bryan.
Claudius C. Coan.
John Merriam.
Henry B. Moore.
1842. William C. DeWitt.

1842. Levi Farr.
Thomas Goodsell.
Lester Jewett.
1844. Matthias B. Bellows.
Samuel Maxwell.
William W. Miner.
Peter Van O'Linda.
1845. William Mason.
Andrew F. Oliver.
Samuel Shumway.
Bartow White.
1846. George W. Bradford.
Ithamar B. Crawe.
Truman B. Hicks.
Greene Miller.
1847. Caleb Bannister.
Pelatiah B. Brooks.
Hiram Corliss.
John W. Weed.
1848. Benjamin E. Bowen.
Eliphalet Platt.
George C. Scheffer.
Joshua Webster.
1849. Arba Blair.
William D. Purple.
John W. Riggs.
Lewis Riggs.
1850. Patrick W. Hard.
Nathaniel Miller.
James Thorn.
John E. Todd.
1851. Phineas H. Burbeck.
Purcell Cook.
Heman Norton.
1852. Abel Brace.
Abel Huntington.
Erastus King.

1852. Mason G. Smith.
1854. Sardius Brewster,
John W. Hinckley.
Elias P. Metcalf.
Jacob G. Snell.
1855. Edson Carr.
Alonzo Churchill.
Jonathan Kneeland.
James L. Phelps.
1856. Hiram Adams.
Medina Preston.
Samuel J. Swalm.
Silas West.
1857. Millen Barnes.
Daniel H. Bissell.
William S. Norton.
Hiram Watkins.
1858. William S. Appley.
Nelson S. Garrison.
James Hogeboom.
William Rockwell.
1859. Merritt H. Clark.
Richard Lanning.
Peter P. Staats.
James M. Sturdevant.
1860. Francis J. D'Avignon.
Peter Moulton.
Harrison Teller.
1861. Charles G. Bacon.
Charles Barrows.
1864. R. Spencer Chapin.
Leonard G. Warren.
1865. Ferris Jacobs.
Richard L. Satterlee.
1867. John Van Ness.
1869. Lewis Post.
1871. Elijah S. Lyman.

1871. Tobias J. Green.
Evander Odell.
1872. Cornelius H. Schaaps.
William Lamont.
1874. Peter Denny.
William Newman.

And on the nomination of the Homœopathic State Medical Society:

1865. Frederick F. Stamm.
1869. Oliver E. Noble.
Ira C. Owen.
Stephen D. Sherman.
1872. Caspar Burchhausen.
Alfred W. Gray.
William B. Reeve.
1876. John F. Gray.
Constantine Herring.
1878. Egbert Guernsey.
William Gulick.
Harrison V. Miller.
William H. Watson.
1879. Edward Payson Fowler.
Cornelius Ormes.
Charles Sumner.
1880. Edward Bayard.
Asa Stone Couch.
Austin Wells Holden.
Lester Marcus Pratt.
1881. Edwin Henry Hurd.
Alonzo Spofford Ball.
Horace Marshfield Paine.
Charles Taylor Harris.

CHAPTER XXI.

THE UNIVERSITY CONVOCATION OF THE STATE OF NEW YORK.

§ 1. *Resolved,* That it is expedient to hold annually, under the direction of this board, a meeting of officers of colleges and academies, and that a committee be appointed to draft a programme of business for the proposed meeting, to fix the time and place, and to make such other arrangements as they may deem necessary.—[*In Board of Regents, January* 9, 1863.

§ 2. *Resolved,* That it is eminently desirable that the Regents and the instructors in the colleges and academies should thus meet with reference to the attainments of the following objects:

1st. To secure a better acquaintance among those engaged in these departments of instruction, with each other and with the Regents.

2d. To secure an interchange of opinions on the best methods of instruction in both colleges and academies; and, as a consequence,

3d. To advance the standard of education throughout the State.

4th. To adopt such common rules as may seem best fitted to promote the harmonious workings of the State system of education.

5th. To consult and co-operate with the Regents in devising and executing such plans of education as the advanced state of the population may demand.

6th. To exert a direct influence upon the people and the Legislature of the State, personally and through the press, so as to secure such an appreciation of a thorough system of education, together with such pecuniary aid and legislative enactments, as will place the institutions here represented in a position worthy of the population and resources of the State.

§ 3. *Resolved,* That this meeting of officers of colleges and academies be hereafter known and designated as "The University Convocation of the State of New York."

§ 4. *Resolved,* That the members of this Convocation shall embrace:

1. The members of the Board of Regents.

2. All instructors in colleges, normal schools, academies and higher departments of public schools that are subject to the visitation of the Regents, and (by amendment of 1868) the trustees of all such institutions.

3. The president, first vice-president, and the recording and corresponding secretaries of the New York State Teachers' Association.

§ 5. *Resolved,* That the Chancellor and Secretary of the Board of Regents shall act severally as the presiding officer and permanent Secretary of the Convocation.

§ 6. *Resolved,* That the meeting of this Convocation shall be held annually, in the city of Albany, on the first Tuesday in August [see *amendment*], at ten o'clock, A. M., unless otherwise appointed by the Board of Regents. [*Amended,* in 1873, as to the time of

meeting, by making it the first Tuesday after the Fourth of July, except when the Fourth occurs on Monday, in which case it shall be the second Tuesday thereafter.]

§ 7. *Resolved*, That at each annual Convocation the Chancellor shall announce the appointment, by the Regents, of an executive committee of seven members, who shall meet during the recess of the Convocation, at such time and place as the Regents may direct, with authority to transact business connected with its general object.—[*In Convocation, August* 5, 1863.

§ 8. *Resolved*, That the Regents be requested to invite the attendance of representatives of colleges of other States at future anniversaries of the Convocation.—[*In Convocation, August* 8, 1867.

§ 9. *Resolved*, That there be appointed by the Chancellor, at each annual meeting, a committee of necrology, to consist of three persons.

§ 10. *Resolved*, That it shall be the duty of each member of the Convocation to notify the chairman of the committee of necrology of the decease of members occurring in their immediate neighborhood or circle of acquaintance, as an assistance to the preparation of their report.

§ 11. *Resolved*, That the Secretary publish, with the report of each year's proceedings, the original resolutions of 1863, as they are or may be from time to time amended, together with the two foregoing, as a means of better informing the members of the Convocation in regard to its nature and the purposes of its organization.—[*In Convocation, August* 5, 1868.

§ 12. The University Convocation hitherto existing is hereby constituted and established as the Convocation of the University of the State of New York, and shall continue to be called and known by the style of "The University Convocation." It shall consist of such members of the Board of Regents of the University and such instructors, officers and trustees of the several colleges, academies and other seminaries subject to the visitation of the Regents and constituent members of the University, as shall at the time being attend. The purpose of the Convocation shall be to secure an interchange of opinions on the subject of education and of literature, science and art, and to advance their standard in this State; to harmonize the workings of the State system of education; and, by essays, treatises, discussions and resolutions, on subjects connected with literature, science and art and with the credit, interest and welfare of the University and the institutions composing it, to recommend to such institutions and to the Regents, for their consideration, such action as may be expedient and lawful.

§ 13. The Convocation shall meet in the city of Albany, at the Capitol, on the first Tuesday after the Fourth of July, except when the Fourth occurs on Monday, in which case it shall be the second Tuesday thereafter, or at such other time and place as may be directed by the Regents. A quorum shall consist of those present at any actual sitting of the Convocation. The Board of Regents shall always be in session

during the meeting of the Convocation, with such recesses of the Regents and of the Convocation as may be expedient. The Chancellor and Vice-Chancellor and the Secretaries of the Regents shall be the presiding officers and Secretaries of the Convocation, with power to substitute others to perform their duties respectively, pro tempore, not longer than one day.

§ 14. At the time of the Convocation shall be held the annual Commencement of the University, and such degrees as may be ordered by the Regents shall be then publicly announced and conferred by the Chancellor, except when the Regents shall otherwise provide.—[*Regents' Ordinance of April* 11, 1879.

CHAPTER XXII.

THE STATE LIBRARY.

§ 1. *Ordered,* That the librarian of the law department of the library is hereby instructed to enforce the provisions of the concurrent resolution of the Senate and Assembly of 16th April, 1861, declaring it to be the duty of the trustees of the library to secure its uninterrupted use to the purposes named in said resolution, and to limit its use substantially to the persons and officers by said resolution designated.

And that to that end the occupation of the room of that department as a study or reading room, and the use of its volumes as text-books by law students is prohibited.

§ 2. *Ordered,* That it is the sense of the trustees that the general department of the library is not intended as a popular library for indiscriminate and continuous reading.

That the same is primarily designed for the use of the Legislature and officers of the State, and for reference by historical and professional students and those interested in special lines of inquiry.

And to carry out in part the purposes of the library as above expressed, the librarian of the general library is instructed not to deliver to visitors, for general and continuous reading in the library, works of fiction, light literature, travels, literary periodicals, and publications of like character.

§ 3. *Ordered,* That from and after the first day of February next, the regular meetings of the library committee be on the first Tuesdays of March, May, July, September, November and January, and that special meetings may be called by the Chancellor in his discretion.—[*Ordinances of January* 10, 1879.

CHAPTER XXIII.

MISCELLANEOUS RESOLUTIONS.

§ 1. The Regents will hold two general business sessions annually, the first to commence with the annual meeting prescribed by law, and the other to be held at the time of the University Convocation, on or about the first Tuesday of July; each of said sessions shall be continued by daily adjournments during at least one week; and at each of said meetings all business of the board shall be in order, and, as far as is consistent with the public interest, all business shall be transacted at such meetings.—[*Resolution of January* 15, 1864.

§ 2. A meeting of the board shall be held on the day preceding the annual meeting, at 4 o'clock, P. M.—[*Resolution of January* 29, 1880.

§ 3. The standing committees of this board whose services are needed in preparing reports for the annual meeting of each year shall be duly notified by the secretary that their attendance is due on the *morning* of the *second* Thursday of January, this being the day fixed by law for the annual meeting.—[*Resolution of January* 10, 1868.

§ 5, Whenever, in any academy, the school has been suspended, annual reports shall be required from the trustees as to the condition of the property of the same, with a statement of the reasons why instruction has been suspended. —[*Resolution of January* 12, 1866.

§ 5. All institutions subject to the visitation of the Regents are requested to place in their catalogues and other publications a recognition of their official connection with the University, by placing in a head-line, on the title page, the words:

UNIVERSITY OF THE STATE OF NEW YORK,

and by inserting a list of the Regents of the University; also to transmit two copies of their catalogues to be preserved in the State Library.—[*Resolution of July* 11, 1878.

CHAPTER XXIV.

REGENTS OF THE UNIVERSITY.

1. Regents appointed under the acts of the Legislature of May 1 and November 26, 1784, arranged in the order of seniority as established by the said acts. *

1. Ex-officio Regents.

The Governor, George Clinton.

The Lieutenant-Governor, Pierre Van Cortlandt.

The President of the Senate for the time being,
Abraham Yates, jun.,
Oct. 18th to Nov. 29th 1784;
Jan. 24th to April 27th, 1785;
March 27th and 28th, 1786;
April 4th to May 5th, 1786.

The Speaker of the Assembly,
John Hathorn 1784–5;
David Gelston 1785;
John Lansing, jun..... 1786;
Richard Varick ..... 1787.

The Mayor of the City of New York, James Duane.

The Mayor of the city of Albany,
John Jacob Beeckman 1784–86;
John Lansing, jun., Sep. 29th, 1786–87.

The Attorney-General,
Egbert Benson.

* For a copy of these acts, see former edition of University Manual, pp. 162-193.

The Secretary of State,
John Morin Scott.

2. ADDITIONAL REGENTS.

(1.) BY THE ACT OF MAY 1, 1784.

Henry Brockholst Livingston and Robert Harpur,
of the City of New York.

Walter Livingston and Christopher Yates,
of the County of Albany.

Anthony Hoffman and Cornelius Humfrey,
of the County of Dutchess.

Lewis Morris and Philip Pell, jun.,
of the County of Westchester.

Henry Wisner and John Haring,
of the County of Orange.

Christopher Tappen and James Clinton,
of the County of Ulster.

Christopher P. Yates and James Livingston,
of the County of Montgomery.

Abraham Bancker and John C. Dongan,
of the County of Richmond.

Matthew Clarkson and Rutger Van Brunt,
of the County of Kings.

James Townsend and Thomas Lawrence,
of the County of Queens.

Ezra L'Hommedieu and Caleb Smith,
of the County of Suffolk.

John Williams and John McCrea,
of the County of Washington.

(2.) By the Act of Nov. 26, 1784.

John Jay,
Samuel Provost,
John H. Livingston,
John Daniel Gros,
Johann Ch. Kunze,
Joseph Delaplain,
Gershom Seixas,
Alexander Hamilton,
John Lawrence,
John Rutherford,
John Rodgers,
John Mason,
John Ganoe,
Morgan Lewis,
Leonard Lispenard,
John Cochran,
Charles McKnight,
Thomas Jones,
Malachi Treat,
Nicholas Romain,
all of New York.

Peter W. Yates,
Matthew Visscher,
Hunlock Woodruff, *all of Albany.*
George J. L. Doll, *of Ulster.*
John Vanderbilt, *of Kings.*
Thomas Romain, *of Montgomery.*
Samuel Buel, *of Suffolk.*
Gilbert Livingston, *of Dutchess.*
Nathan Kerr, *of Orange.*
Ebenezer Lockwood, *of Westchester.*
John Lloyd, jun., *of Queens.*
Harmanus Garrison, *of Richmond.*
Ebenezer Russell, *of Washington.*

The Board organized on the 5th day of May, 1784, by the election of the following officers :

Chancellor—His Excellency, George Clinton.
Vice-Chancellor—His Honor, Pierre Van Cortlandt.
Treasurer—Brockholst Livingston, Esquire.
Secretary—Robert Harpur, Esquire.

The board remained without change by new appointments until the passage of the act of April 13, 1787.

II. Regents appointed under the act of April 13, 1787, arranged by classes, in the order of succession under each class.

The Governor and Lieutenant-Governor have been *ex-officio* members of the Board since its organization; the Secretary of State since the year 1842: and the Superintendent of Public Instruction since the year 1854.

1. Ex-officio Regents.

Governors.

George Clinton	1784
John Jay	1795
George Clinton	1801
Morgan Lewis	1804
Daniel D. Tompkins	1807
DeWitt Clinton	1817
Joseph C. Yates	1823
DeWitt Clinton	1825
Martin Van Buren	1829
Enos T. Throop	1831
William L. Marcy	1833
William H. Seward	1839
William C. Bouck	1843
Silas Wright	1845
John Young	1847
Hamilton Fish	1849
Washington Hunt	1851
Horatio Seymour	1853

Myron H. Clark	1855
John A. King	1857
Edwin D. Morgan	1859
Horatio Seymour	1863
Reuben E. Fenton	1865
John T. Hoffman	1869
John A. Dix	1873
Samuel J. Tilden	1875
Lucius Robinson	1877
Alonzo B. Cornell	1880

Lieutenant-Governors.

Pierre Van Cortlandt	1784
Stephen Van Rensselaer	1795
Jeremiah Van Rensselaer	1801
John Broome	1804
De Witt Clinton	1812
John Tayler	1814
Erastus Root	1823
James Talmadge	1825
Nathaniel Pitcher	1827
Enos T. Throop	1829
Edward P. Livingston	1831
John Tracy	1833
Luther Bradish	1839
Daniel S. Dickinson	1843
Addison Gardiner	1845
Hamilton Fish	1847
George W. Patterson	1849
Sanford E. Church	1851
Henry J. Raymond	1855

Henry R. Selden..... 1857
Robert Campbell..... 1859
David R. Floyd Jones 1863
Thomas G. Alvord..... 1865
Stewart L. Woodford..... 1867
Allen C. Beach 1869
John C. Robinson..... 1873
William Dorsheimer..... 1875
George G. Hoskins..... 1880

Secretaries of State.

Samuel Young..... 1842
Nathaniel S. Benton..... 1845
Christopher Morgan..... 1848
Henry S. Randall..... 1852
Elias W. Leavenworth 1854
Joel T. Headley..... 1856
Gideon J. Tucker..... 1858
David R. Floyd Jones 1860
Horatio Ballard..... 1862
Chauncey M. Depew 1864
Francis C. Barlow 1866
Homer A. Nelson..... 1868
G. Hilton Scribner 1872
Diedrich Willers, Jr..... 1874
John Bigelow..... 1876
Allen C. Beach..... 1878
Joseph B. Carr 1880

Superintendents of Public Instruction.

Victor M. Rice 1854
Henry H. Van Dyck 1857

Victor M. Rice..... 1862
Abram B. Weaver..... 1868
Neil Gilmour..... 1874

2. Regents Appointed by the Legislature.

1. John Rogers, D. D ..... April 13, 1787. Deceased.
2. Joseph C. Yates ..... Feb. 28, 1812. Resigned.
3. Prosper M. Wetmore ..... April 4, 1833. Deceased.
4. John A. Dix, LL.D..... Mar. 29, 1876. Resigned.
5. Whitelaw Reid..... Jan. 17, 1878.

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1. Egbert Benson, LL.D..... April 13, 1787. Resigned.
2. John Tayler..... Feb. 1, 1802. Deceased.
3. John Suydam..... Mar. 31, 1829. Deceased.
4. Washington Irving..... May 9, 1835. Resigned.
5. David Buel..... Mar. 24, 1842. Deceased.
6. Elias W. Leavenworth..... Feb. 5, 1861.

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1. Philip Schuyler..... April 13, 1787. Deceased.
2. Ambrose Spencer, LL.D ..... Jan. 28, 1805. Vacated.
3. Nathan Williams..... Jan. 28, 1817. Vacated.
4. Peter B. Porter..... Feb. 13, 1824. Resigned.
5. John Tracy..... April 2, 1830. Resigned.
6. William Campbell..... Feb. 5, 1833. Deceased.
7. Martin Van Buren, LL.D .... Feb. 3, 1845. Resigned.
8. Jabez D. Hammond, LL.D... May 10, 1845. Deceased.
9. George W. Clinton, LL.D.... Mar. 6, 1856.

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1. Ezra L'Hommedieu..... April 13, 1787. Deceased.
2. Solomon Southwick..... Feb. 28, 1812. Resigned.
3. Peter Wendell, M. D..... Feb. 15, 1823. Deceased.
4. John N. Campbell, D. D..... Mar. 18, 1857. Deceased.
5. Alexander S. Johnson, LL.D.. April 12, 1864. Vacated.
6. Anson J. Upson, D.D..... Feb. 11, 1874.

1. Rev. Nathan Kerr	April	13, 1787.	Deceased.
2. Lucas Elmendorf	Jan.	28, 1805.	Vacated.
3. James Thompson	Feb.	7, 1822.	Deceased.
4. John L. O'Sullivan	Feb.	2, 1846.	Resigned.
5. Erastus C. Benedict, LL.D....	Mar.	22, 1855.	Deceased.
6. William H. Watson.	Feb.	2, 1881.	

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1. Peter Sylvester.....	April	13, 1787.	Deceased.
2. Nathan Smith.....	Jan.	31, 1809.	Vacated.
3. Harmanus Bleecker, LL.D....	Feb.	7, 1822.	Resigned.
4. James McKown.....	April	17, 1834.	Deceased.
5. Robert G. Rankin.....	Sept.	22, 1847.	Deceased.
6. Charles E. Smith.....	Jan.	22, 1879.	Resigned.
7. Henry E. Turner.....	Feb.	2, 1881.	

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1. John Jay, LL.D.....	April	13, 1787.	Resigned.
2. Gulian Verplanck.....	Mar.	30, 1790.	Deceased.
3. James Kent, LL.D.....	Feb.	3, 1800.	Vacated.
4. John Lansing, Jr., LL.D.....	Jan.	28, 1817.	Deceased.
5. John P. Cushman.....	April	2, 1830.	Resigned.
6. John Lorimer Graham.....	April	17, 1834.	Resigned.
7. George William Curtis, LL.D..	April	12, 1864.	

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1. Dirck Romeyn, D.D	April	13, 1787.	Resigned.
2. James Cochran.....	Feb.	18, 1796.	Resigned.
3. William A. Duer, LL.D.....	Feb.	1, 1820.	Resigned.
4. Robert Troup.....	Feb.	13, 1824.	Resigned.
5. Edward P. Livingston.....	Feb.	20, 1827.	Resigned.
6. John A. Dix, LL.D.....	Mar.	23, 1831.	Resigned.
7. Robert Campbell.....	Feb.	2, 1846.	Deceased.
8. Horatio G. Warner, LL. D...	Feb.	8, 1871.	Deceased.
9. William L. Bostwick.....	Mar.	9, 1876.	

1. James Livingston	April	13, 1787.	Resigned.
2. Abraham Van Vechten, LL.D.	Jan.	11, 1797.	Resigned.
3. James King	Feb.	15, 1823.	Deceased.
4. Gideon Hawley, LL.D	Feb.	1, 1842.	Deceased.
5. John L. Lewis	Feb.	8, 1871.	

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1. Ebenezer Russell	April	13, 1787.	Resigned.
2. John Woodworth	Mar.	3, 1813.	Resigned.
3. Samuel A. Talcott	Feb.	15, 1823.	Resigned.
4. John Keyes Paige	Mar.	31, 1829.	Deceased.
5. Lorenzo Burrows	Feb.	16, 1858.	

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1. Lewis Morris	April	13, 1787.	Deceased.
2. Simeon DeWitt	Mar.	13, 1798.	Deceased.
3. Amasa J. Parker, LL.D	Jan.	20, 1835.	Resigned.
4. John V. L. Pruyn, LL.D	May	4, 1844.	Deceased.
5. Leslie W. Russell	Jan.	17, 1878.	

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1. Matthew Clarkson	April	13, 1787.	Resigned.
2. Gulian C. Verplanck, LL.D	Jan.	26, 1826.	Deceased.
3. Oswald Ottendorfer	April	14, 1870.	Resigned.
4. James W. Booth	May	14, 1873.	Deceased.
5. Chauncey M. Depew	Jan.	31, 1877.	

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1. Rt. Rev. Benjamin Moore, D. D.	April	13, 1787.	Resigned.
2. Henry Rutgers	Feb.	15, 1802.	Resigned.
3. Jesse Buel	Jan.	26, 1826.	Resigned.
4. John C. Spencer, LL.D	Feb.	28, 1840.	Vacated.
5. James S. Wadsworth	May	4, 1844.	Deceased.
6. Wm. H. Goodwin, D.D., LL.D	Jan.	24, 1865.	Deceased.
7. Augustus C. George, D. D.	Mar.	9, 1876.	Resigned.
8. Orris H. Warren, D. D.	April	11, 1877.	

1. Eilardus Westerlo, D. D..... April 13, 1787. Deceased.
2. Zephaniah Platt..... .... Jan. 15, 1791. Deceased.
3. Peter Gansevoort, Jr..... Feb. 11, 1808. Deceased.
4. Smith Thompson, LL.D..... Mar. 3, 1813. Resigned.
5. Stephen Van Rensselaer, LL.D Mar. 16, 1819. Deceased.
6. Joseph Russell..... Feb. 18, 1839. Resigned.
7. William C. Bouck ..... Feb. 3, 1845. Vacated.
8. Samuel Luckey, D. D ..... May 6, 1847. Deceased.
9. Francis Kernan..... Feb. 10, 1870.

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1. Rev. Andrew King..... April 13, 1787. Deceased.
2. Martin Van Buren, LL.D..... Mar. 4, 1816. Resigned.
3. Gerrit Y. Lansing, LL.D.... Mar. 31, 1829. Deceased.
4. George R. Perkins, LL.D .... Jan. 30, 1862. Deceased.
5. Charles E. Fitch ..... Jan. 31, 1877.

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1. William Linn, D. D..... April 13, 1787. Deceased.
2. De Witt Clinton, LL.D ..... Feb. 11, 1808. Resigned.
3. John Greig..... Jan. 12, 1825. Deceased.
4. Wm. C. Bryant, LL.D., L.H.D. April 15, 1858. Declined.
5. George B. Cheever, D. D..... Mar. 29, 1859. Vacated.
6. J. Carson Brevoort, LL.D... Feb. 5, 1861.

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1. Jonathan G. Tompkins .. ... April 13, 1787. Resigned.
2. Alexander Sheldon..... Feb. 11, 1808. Vacated.
3. John De Witt, D. D ..... Jan. 28, 1817. Resigned.
4. William L. Marcy, LL.D ..... April 9, 1823. Resigned.
5. Benjamin F. Butler, LL.D.... Feb. 14, 1829. Resigned.
6. John L. Viele..... Feb. 6, 1832. Deceased.
7. Erastus Corning..... Feb. 5, 1833. Deceased.
8. Henry R. Pierson, LL.D..... April 24, 1872.

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1. Rev. John McDonald..... April 13, 1787. Resigned.
2. Rev. Jonas Coe..... Mar. 24, 1796. Declined.

3. Rev. Thomas Ellison	Feb. 28, 1797.	Deceased.
4. Charles Selden	Feb. 18, 1803.	Vacated.
5. Samuel Young	Jan. 28, 1817.	Resigned.
6. John McLean	April 8, 1835.	Deceased.
7. Robert S. Hale, LL. D.	Mar. 29, 1859.	Deceased.

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1. Fred. Wm. Baron De Steuben,	April 13, 1787.	Deceased.
2. James Watson	Jan. 28, 1795.	Deceased.
3. Elisha Jenkins	Feb. 11, 1807.	Deceased.
4. Philip S. Van Rensselaer	Feb. 6, 1849.	Deceased.
5. Robert Kelly	Mar. 6, 1856.	Deceased.
6. Isaac Parks, D. D.	April 7, 1857.	Deceased.
7. John A. Griswold	April 29, 1869.	Deceased.
8. Martin I. Townsend, LL.D.	April 24, 1873.	

Cases of resignation	42
Died while in office	52
Places vacated	11
Declined to accept the office	2
Number now in office	19
Total	126

The total is two more than the whole number of individuals, inasmuch as Martin Van Buren and John A. Dix were twice elected, and twice resigned.

William C. Bryant and Rev. Jonas Coe each declined the office.

It is a remarkable fact that Matthew Clarkson, who was named in the act of 1787, held the office thirty-nine years, and his successor, the late Vice-Chancellor Gulian C. Verplanck, forty-four years.

III. Alphabetical List of Regents of the University, from 1784 to 1881, with dates of accession to office.

Thomas G. Alvord, *ex-officio*.....1865
Horatio Ballard, *ex-officio*..... 1862
Abraham Baucker.....May, 1784
Francis C. Barlow, *ex-officio*..... 1866
Allen C. Beach, *ex-officio*..... 1869
Allen C. Beach, *ex-officio*..... 1878
John Jacob Beeckman, *ex-officio*..... 1784
Erastus C. Benedict, LL.D..... 1855
Egbert Benson, *ex-officio*.....May, 1784
Egbert Benson, LL.D..... 1787
Nathaniel S. Benton, *ex-officio*..... 1845
John Bigelow, *ex-officio*..... 1876
Harmanus Bleecker, LL.D..... 1822
James W. Booth..... 1873
William L. Bostwick..... 1876
William C. Bouck, *ex-officio*..... 1843
William C. Bouck..... 1845
Luther Bradish, *ex-officio*..... 1839
J. Carson Brevoort, LL.D..... 1861
John Broome, *ex-officio*..... 1804
William C. Bryant, LL.D., L.H.D.... 1858
David Buel..... 1842
Jesse Buel..... 1826
Samuel Buel.....Nov. 1784
Lorenzo Burrows..... 1858
Benjamin F. Butler, LL.D..... 1829
John N. Campbell, D. D..... 1851
Robert Campbell 1846
Robert Campbell, *ex-officio*..... 1859

William Campbell..... 1833
Joseph B. Carr, *ex-officio*..... 1880
George B. Cheever, D. D. 1859
Sanford E. Church, *ex-officio*..... 1851
Myron H. Clark, *ex-officio*..... 1855
Matthew Clarkson.....May, 1784, 1787
De Witt Clinton, LL.D..... 1808
De Witt Clinton, *ex-officio*, 1812, 1817, 1825
George Clinton, *ex-officio*...1784, 1787, 1801
George W. Clinton, LL.D..... 1856
James Clinton.....May, 1784
James Cochran..... 1796
John Cochran.....Nov. 1784
Rev. Jonas Coe..... 1796
Alonzo B. Cornell, *ex-officio*..... 1880
Erastus Corning..... 1833
George William Curtis, LL. D..... 1864
John P. Cushman..... 1830
Joseph Delaplain.....Nov. 1784
Chauncey M. Depew, *ex-officio*..... 1864
Chauncey M. Depew..... 1877
John De Witt, D. D..... 1817
Simeon De Witt..... 1798
Daniel S. Dickinson, *ex-officio*..... 1843
John A. Dix, LL.D..... 1831
John A. Dix, LL.D., *ex-officio* 1873
John A. Dix, LL.D..... 1876
George J. L. Doll.....Nov. 1784
John C. Dongan.....May, 1784
William Dorsheimer, *ex-officio*..... 1875
James Duane, *ex-officio*..... 1784

William A. Duer, LL.D..... 1820
Rev. Thomas Ellison..... 1797
Lucas Elmendorf..... 1805
Reuben E. Fenton, *ex-officio*..... 1865
Hamilton Fish, *ex-officio*..... 1847
Charles E. Fitch..... 1877
John Ganoe .....Nov. 1784
Peter Gansevoort, Jr..... 1808
Addison Gardiner, *ex-officio*..... 1845
Harmanus Garrison .....Nov., 1784
David Gelston, *ex-officio* 1785
Augustus C. George, D. D..... 1876
Neil Gilmour, *ex-officio*..... 1874
William H. Goodwin, D. D..... 1865
John Lorimer Graham..... 1834
John Greig..... 1825
John A. Griswold..... 1869
John Daniel Gros .....Nov., 1784
Robert S. Hale, LL.D..... 1859
Alexander Hamilton.....Nov., 1784
Jabez D. Hammond, LL.D..... 1845
John Haring.....May, 1784
Robert Harpur.... .....May, 1784
John Hathorn, *ex-officio* 1784
Gideon Hawley, LL. D..... 1842
Joel T. Headley, *ex-officio*..... 1856
Anthony Hoffman .....May, 1784
John T. Hoffman, *ex-officio*..... 1869
George G. Hoskins, *ex-officio* 1880
Cornelius Humfrey .....May, 1784
Washington Hunt, *ex-officio* 1851

Washington Irving, LL.D..... 1835
John Jay, LL.D..... Nov., 1784, 1787
John Jay, *ex-officio* 1795
Elisha Jenkins 1807
Alexander S. Johnson, LL.D..... 1864
David R. Floyd Jones, *ex-officio*, 1860, 1863
Thomas Jones .....Nov., 1784
Robert Kelly 1856
James Kent, LL.D..... 1800
Francis Kernan..... 1870
Rev. Nathan Kerr.....Nov., 1784, 1787
Rev. Andrew King..... 1787
James King..... 1823
John A. King, *ex-officio* 1857
Johann Ch. Kunze .....Nov., 1784
Gerrit Y. Lansing, LL.D..... 1829
John Lansing, Jr., *ex-officio*..... 1786
John Lansing, Jr., LL.D..... 1817
John Lawrence .....Nov., 1784
Thomas Lawrence .....May, 1784
Elias W. Leavenworth, *ex-officio*..... 1854
Elias W. Leavenworth..... 1861
John L. Lewis..... 1871
Morgan Lewis .....Nov., 1784
Morgan Lewis, *ex-officio*..... 1804
Ezra L'Hommedieu.....May, 1784, 1787
William Linn, D. D..... 1787
Leonard Lispenard .....Nov., 1784
Edward P. Livingston..... 1827
Edward P. Livingston, *ex-officio*..... 1831
Gilbert Livingston .....Nov., 1784

Henry Brockholst Livingston ...May, 1784
James Livingston .....May, 1784, 1787
John H. Livingston.....Nov., 1784
Walter Livingston.....May, 1784
John Lloyd, Jr.....Nov., 1784
Ebenezer Lockwood .....Nov., 1784
Samuel Luckey, D. D 1847
William L. Marcy, LL.D..... 1823
William L. Marcy, *ex-officio*..... 1833
John Mason .....Nov., 1784
John McCrea .....May, 1784
Rev. John McDonald..... 1787
Charles McKnight .....Nov., 1784
James McKown..... 1834
John McLean 1835
Rt. Rev. Benjamin Moore, D. D..... 1787
Christopher Morgan, *ex-officio* 1848
Edwin D. Morgan, *ex-officio*..... 1859
Lewis Morris.....May, 1784, 1787
Homer A. Nelson, *ex-officio*..... 1868
John L. O'Sullivan..... 1846
Oswald Ottendorfer 1870
John Keyes Paige..... 1829
Amasa J. Parker, LL.D 1835
Isaac Parks, D. D 1857
George W. Patterson, *ex-officio*..... 1849
Philip Pell, Jr.....May, 1784
George R. Perkins, LL.D..... 1862
Henry R. Pierson, LL.D..... 1872
Nathaniel Pitcher, *ex-officio* 1827
Zephaniah Platt..... 1791

Peter B. Porter 1824
Samuel Provost .....Nov., 1784
John V. L. Pruyn, LL.D..... 1844
Henry S. Randall, *ex-officio*..... 1852
Robert G. Rankin 1847
Henry J. Raymond, *ex-officio* 1855
Whitelaw Reid..... 1878
Victor M. Rice, *ex-officio*.....1854, 1862
John C. Robinson, *ex-officio*..... 1873
Lucius Robinson, LL.D., *ex-officio*.... 1877
John Rodgers, D. D.....Nov., 1784, 1787
Nicholas Romain.....Nov., 1784
Thomas Romain .....Nov., 1784
Dirck Romeyn, D. D., *ex-officio* 1787
Erastus Root, *ex-officio*..... 1823
Ebenezer Russell.....Nov. 1784, 1787
Joseph Russell..... 1839
Leslie W. Russell..... 1878
Henry Rutgers 1802
John Rutherford.....Nov. 1784
Philip Schuyler..... 1787
John Morin Scott, *ex-officio* 1784
G. Hilton Scribner, *ex-officio*..... 1872
Gershom Seixas.....Nov. 1784
Charles Selden..... 1803
Henry R. Selden, *ex-officio* 1857
William H. Seward, *ex-officio* 1839
Horatio Seymour, *ex-officio* 1853, 1863
Alexander Shelden..... 1808
Caleb Smith .....May, 1784
Charles E. Smith 1879

Nathan Smith 1809
Solomon Southwick..... 1812
Ambrose Spencer, LL.D..... 1805
John C. Spencer, LL.D 1840
Fred. Wm. Baron de Steuben..... 1787
John Suydam..... 1829
Peter Sylvester..... 1787
Samuel A. Talcott..... 1823
James Talmadge, *ex-officio*..... 1825
Christopher Tappen.....May, 1784
John Tayler..... 1802
John Tayler, *ex-officio* 1814
James Thompson 1822
Smith Thompson, LL.D..... 1813
Enos T. Throop, *ex-officio* 1829, 1831
Samuel J. Tilden, *ex-officio* 1875
Daniel D. Tompkins, *ex-officio*..... 1807
Jonathan G. Tompkins 1787
James Townsend .....May, 1784
Martin I. Townsend, LL.D..... 1873
John Tracy..... 1830
John Tracy, *ex-officio*..... 1833
Malachi Treat.....Nov. 1784
Robert Troup..... 1824
Gideon J. Tucker, *ex-officio*..... 1858
Henry E. Turner 1881
Anson J. Upson, D. D, LL. D 1874
Rutger Van Brunt.....May, 1784
Martin Van Buren, LL.D.....1816, 1845
Martin Van Buren, *ex-officio*..... 1829
Pierre Van Cortland, *ex-officio*...1784, 1787

John Vanderbilt.....Nov. 1784
Henry H. Van Dyck, *ex-officio*..... 1757
Jeremiah Van Rensselaer, *ex-officio*... 1801
Philip S. Van Rensselaer..... 1849
Stephen Van Rensselaer, *ex-officio*.... 1795
Stephen Van Rensselaer, LL.D..... 1819
Abraham Van Vechten, LL.D..... 1797
Richard Varick, *ex-officio*..... 1787
Gulian Verplanck..... 1790
Gulian C. Verplanck, LL.D..... 1826
John L. Viele 1832
Matthew Visscher.....Nov., 1784
James S. Wadsworth..... 1844
Horatio G. Warner, LL.D..... 1871
Orris H. Warren, D. D 1877
James Watson 1795
William H. Watson 1881
Abram B. Weaver, *ex-officio*..... 1868
Peter Wendell, M. D..... 1823
Eilardus Westerlo, D. D 1787
Prosper M. Wetmore..... 1833
Deidrich Willers, Jr., *ex-officio*..... 1874
John Williams.....May, 1784
Nathan Williams..... 1817
Henry Wisner .....May, 1784
Stewart L. Woodford, *ex-officio*..... 1867
Hunlock Woodruff.....Nov., 1784
John Woodworth, LL.D 1813
Silas Wright, *ex-officio*..... 1845
Abraham Yates, *ex-officio*..... 1784

Christopher Yates .....May, 1784
Christopher P. Yates.....May, 1784
Joseph C. Yates 1812
Joseph C. Yates, *ex-officio*..... 1823
Peter W. Yates.....Nov., 1784
John Young, *ex-officio* 1847
Samuel Young..... 1817
Samuel Young, *ex-officio* 1842

IV. Officers of the Board of Regents, from its organization, in 1784, to 1881.

Chancellors of the University.

George Clinton	May	5,	1784.
John Jay.....	Jan.	20,	1796.
George Clinton	Feb.	15,	1802.
Morgan Lewis.....	Feb.	4,	1805.
Daniel D. Tompkins.....	Feb.	8,	1808.
John Tayler	Feb.	3,	1817.
Simeon De Witt.....	Mar.	24,	1829.
Stephen Van Rensselaer, LL.D.....	Jan.	8,	1835.
James King	Feb.	12,	1839.
Peter Wendell, M. D.....	Jan.	13,	1842.
Gerrit Y. Lansing, LL.D.....	Oct.	31,	1849.
John V. L. Pruyn, LL.D.....	Jan.	9,	1862.
Erastus C. Benedict, LL.D	Jan.	11,	1878.
Henry R. Pierson, LL.D	Jan.	13,	1881.

Vice-Chancellors.

Pierre Van Cortlandt.....	May	5,	1784.
John Jay.....	July	17,	1787.
John Rodgers, D. D.....	Mar.	31,	1790.
John Tayler.....	Mar.	14,	1814.

Simeon De Witt	Feb.	3,	1817.
Elisha Jenkins	Mar.	24,	1819.
Luther Bradish	Jan.	13,	1842.
Daniel S. Dickinson	Jan.	12,	1843.
John Greig	Jan.	9,	1845.
Gulian C. Verplanck, LL.D	July	13,	1858.
Erastus Corning	April	21,	1870.
Erastus C. Benedict, LL.D	Aug.	7,	1872.
Henry R. Pierson, LL.D	Jan.	11,	1878.
George W. Clinton, LL.D	Jan.	13,	1881.

Secretaries.

Robert Harpur	May	5,	1784.
Richard Harrison, LL.D	July	17,	1787.
Nathaniel Lawrence	April	7,	1790.
De Witt Clinton, LL.D	Jan.	21,	1794.
David S. Jones, LL.D	Jan.	23,	1799.
Francis Bloodgood	Mar.	19,	1798.
Gideon Hawley, LL.D	Mar.	25,	1814.
T. Romeyn Beck, M. D., LL.D	May	25,	1841.
Samuel B. Woolworth, LL.D	Dec.	4,	1855.
David Murray, Ph. D., LL.D	Jan.	11,	1880.

Assistant Secretary.

Daniel J. Pratt, Ph. D	Jan.	12,	1866.

Honorary Secretary.

Samuel B. Woolworth, LL.D	Jan.	10,	1880.

Senator Ellsworth

V. Officers and Members of the Board of Regents, at the close of the Legislative Session of 1881.

HENRY R. PIERSON, LL.D., *Chancellor of the University*, ALBANY.
GEORGE W. CLINTON, LL.D., *Vice-Chancellor*..... BUFFALO.

ALONZO B. CORNELL, *Governor*,
GEORGE G. HOSKINS, *Lieutenant-Governor*,
JOSEPH B. CARR, *Secretary of State*,
NEIL GILMOUR, *Sup't of Public Instruction*,
} *Ex-Officio*,..ALBANY.

Other members in the order of their appointment:

LORENZO BURROWS.....ALBION.
ROBERT S. HALE, LL.D.....ELIZABETHTOWN.
ELIAS W. LEAVENWORTH, LL.D ..... SYRACUSE.
J. CARSON BREVOORT, LL.D.....BROOKLYN.
GEORGE W. CURTIS, LL.D.....WEST NEW BRIGHTON.
FRANCIS KERNAN, LL D..... UTICA.
JOHN L. LEWIS ..... PENN YAN.
MARTIN I. TOWNSEND, LL.D .....TROY.
REV. ANSON J. UPSON, D.D., LL.D .....AUBURN.
WILLIAM L. BOSTWICK..... ITHACA.
CHAUNCEY M. DEPEW.....NEW YORK.
CHARLES E. FITCH ..... ROCHESTER.
REV. ORRIS H. WARREN, D.D..... ....SYRACUSE.
LESLIE W. RUSSELL..... CANTON.
WHITELAW REID. ....NEW YORK.
WILLIAM H. WATSON, M.D..... .....UTICA.
HENRY E. TURNER..... .....LOWVILLE.

DAVID MURRAY, LL.D., *Secretary*..... ...ALBANY.
DANIEL J. PRATT, PH D., *Assistant Secretary*.....ALBANY.

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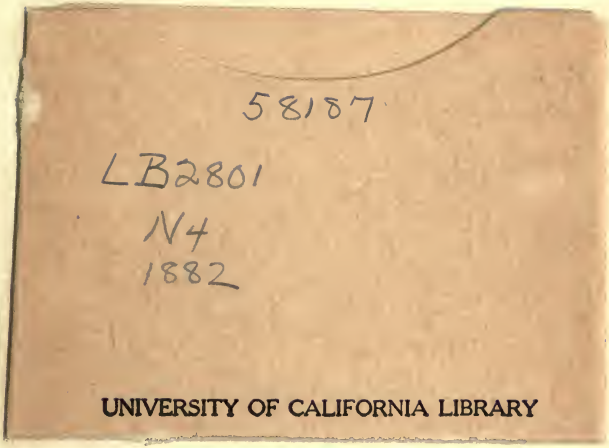
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